



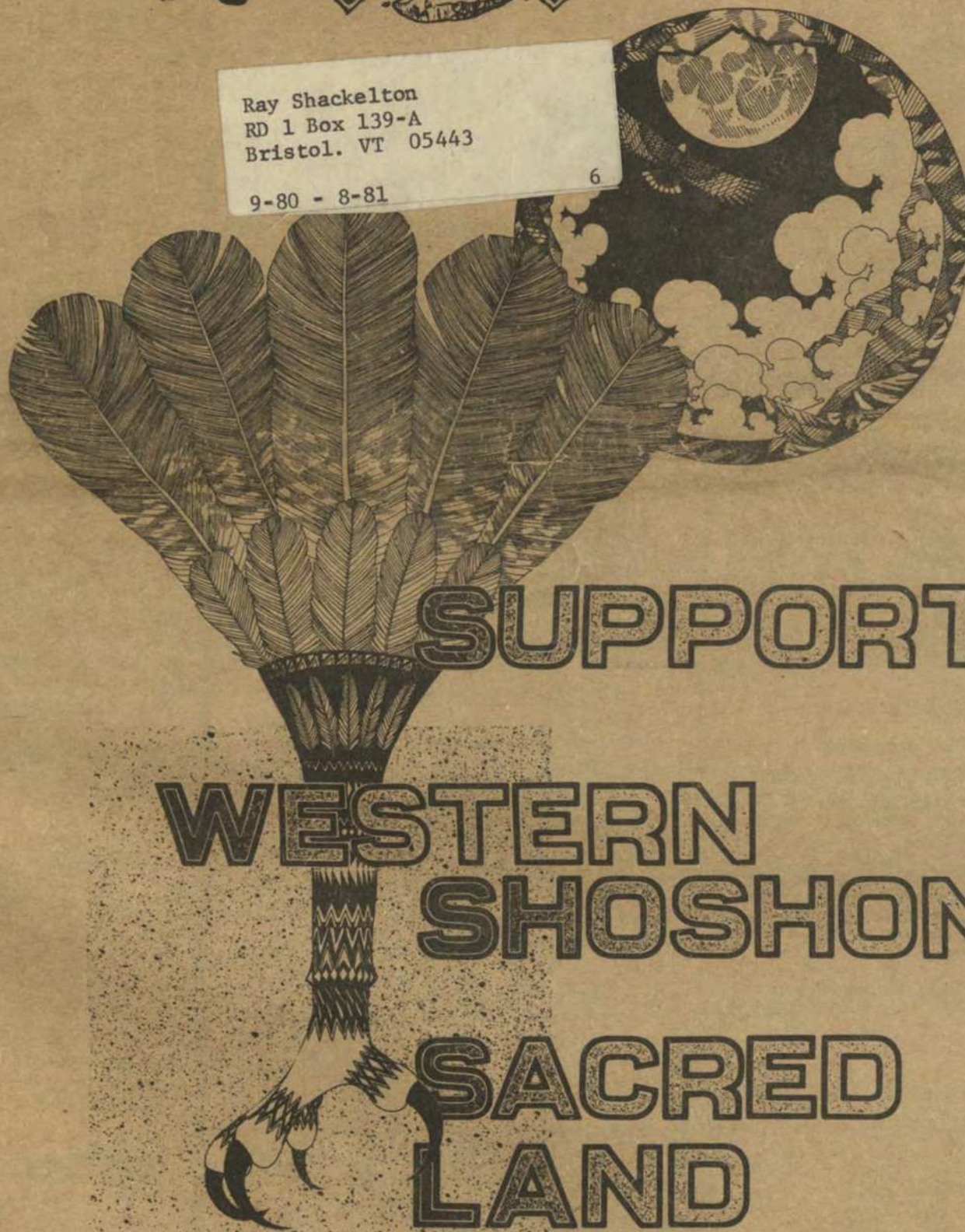
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SUPPORT

WESTERN  
SHOSHONE

SACRED  
LAND  
RIGHTS



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## HOW IT IS WITH US

In the Spring, the yards get cleaned, the gardens are readied for the planting. The windows to the houses are pulled open and the accumulations of the winter-time get sorted out.

So it is with this issue. Past articles we have held for lack of space get sorted out, polished, presented. The final section of the Hopi History, which readers have wondered about, finally gets in. A transcript of a talk by Oren Lyons, an article on synfuels by Winona LaDuke, a short story of the Mayan Country, an examination of Marxism and the Indian Movement—same way.

Spring— a time to clean.

Around the Mohawk Nation things are quiet. Not much is yet resolved, but, at least, there is no imminent threat of attack against the traditional People. What's more: the Freedom School still runs on time and the children like it. We wish all our readers could see it. The richest, most modern school in the world could not provide our children with a better education. This is a good feeling.

The NOTES office is busy and thriving. It has right now the best staff ever, a conscious group of people, forged in struggle. Another good feeling.

I guess over the years (and over the 70-odd issues of NOTES) we have provided many thoughts, much information. We have raised consciousness, fought more than a few battles, even attempted a comprehensive analysis of the forces which affect our lives. It has all been necessary, and hard, and good.

But, really, nothing explains it like watching your little girl walk off in the morning, lunch-bucket in hand, to the Mohawk Freedom School. No, and nothing explains it like the People together, of one mind, at the large gatherings, the way that in a time of crisis individuals transcend themselves. No, because that is a feeling that is like the very smell of Spring, the Earth waking up from her long rest and all the life suddenly budding, the juices running, the courtships flowering and the birds signalling their right to be here with their song.

That's how it is with us.



**TO OUR READERS:** Recently, a letter went out from our office reminding readers to re-subscribe to NOTES. Some people who had already subscribed apparently recieved the letter by mistake. Please accept our apologies. (One of these days we'll all be replaced by a computer and then those kinds of things won't happen.)

### CHANGE OF ADDRESS—IMPORTANT!!!

When notifying us of a cancellation or a change of address PLEASE send in your address label from the latest NOTES issue recieved. It makes the work of keeping our mailing list up to date a lot more manageable.



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NOTES**

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### THE AKWESASNE NOTES PEOPLE:

Carol, Charlene, C-Bear, Beverly, Saka, Katsi, Ray, Pat, Julius, Eddie, Segwalise, Forrest, Jose, Jeannie, Michael, Mary, and Tsiorasa.

**NEEDED FOR NOTES:** Jeans of all sizes, seeds, kids' clothes, gardening tools, film (35mm B&W), blankets, medical supplies, school supplies.

### ON OUR COVER:

This cover art is available as a poster from The Western Shoshone Sacred Lands Association, 1795 ITC Street, Elko, Nevada 89801

It is designed by Jack Malotte, Shoshone artist. PRICE: \$3.00.

The Western Shoshone Sacred Lands Association is an organization of Traditional Shoshones dedicated to the protection of the Shoshone Land Base. It is currently facing a genocidal threat from the Defence Department in its plan to build the MX Missile System on their lands..

We urge our readers to help support this struggle in any way possible.

### A NEW WAY TO HELP NOTES

Your contributions to AKWESASNE NOTES can now be tax-deductible. The Youth Project of Washington, D.C., a public foundation under 501-C-3 of the Internal Revenue Code has agreed to take NOTES under its wing as a research and educational project.

If you would like to support these efforts and receive the benefit of a tax-deductible contribution your check should be made out to Akwesasne Notes/The Youth Project, and sent to us here at NOTES.

You will receive a letter of receipt that you can keep for your income tax records.

**CORRECTION:** A cartoon we carried four issues ago, on the disposal problem presented by nuclear wastes, should have been credited to Tom Englehardt-and is copyrighted by the ST. LEWIS POST-DISPATCH.



# Emergency Response Int'l Network

THROUGHOUT THE AMERICAN CONTINENTS, TRADITIONAL NATIVE PEOPLES ARE BEING PERSECUTED, ASSASINATED, USED AS SLAVES, AND EVEN HUNTED FOR SPORT.

LONG-STANDING HISTORICAL RACISM AND PRESENT-DAY ECONOMIC IMPERATIVES ARE CONSPIRING AGAINST THEM. GOVERNMENTS AND CORPORATIONS—PARTICULARLY THE SO-CALLED "ENERGY- DEVELOPERS"—WANT THEIR REMAINING LANDS AND NATURAL RESOURCES.

IN A VARIETY OF FORMS AND METHODS, THE NATIVE COMMUNITIES ARE IN ACTIVE RESISTANCE TO THESE CONDITIONS. IT WAS SEEN AT THE RECENT RUSSELL TRIBUNAL, IN ALL OF THE CASES PRESENTED, AS TRADITIONAL PEOPLES STAND UP FOR SURVIVAL, FOR THEIR RIGHTS, THEY ARE THE TARGETS OF POLITICAL AND POLICE REPRESSION.

AKWESASNE NOTES HAS A CONFLICT-RESOLUTION NETWORK TO ASSIST IN CASES OF ARMED THREAT AGAINST NATIVE COMMUNITIES, CALLED THE EMERGENCY RESPONSE INTERNATIONAL NETWORK (formerly known as the AKWESASNE NOTES EMERGENCY PHONE TREE). WE ARE A NUMBER OF PEOPLE OF CONSCIENCE WHO ARE WILLING TO WRITE A LETTER, SEND A TELEGRAM, OR MAKE A PHONE CALL TO CONTAIN SPORADIC REPRESSION AND VIOLENCE.

PEOPLE WORKING ON E.R.I.N. ARE INVOLVED IN THIS WORK ON THE BASIS OF CONSCIOUSNESS AND TRUST. THE OVERWHELMING PURPOSE OF THE ACTIVITIES IS TO CONFRONT POTENTIALLY VIOLENT SITUATIONS AND TO DO SO IN A WAY THAT WILL SAFEGUARD THE SAFETY OF COMMUNITIES UNDER THE THREAT OF MILITARY OR ENVIRONMENTAL DESTRUCTION.

WE WISH TO BE A DISCIPLINED AND ORGANIZED NETWORK, AS THE POTENCY OF OUR EFFORT DEPENDS IN OUR ABILITY TO APPLY CONCENTRATED PRESSURE AT SPECIFIC TIMES. WE ENCOURAGE, HOWEVER, DECENTRALIZED WAYS OF THINKING AND CONDUCTING OURSELVES.

THE NETWORK IS ACTIVATED BY NOTES STAFF, IN CONFERENCE WITH REPRESENTATIVES OF THE AFFECTED COMMUNITY—AND ALWAYS FOCUSES PRESSURE ON THE INDIVIDUALS, GOVERNMENT AGENCIES OR CORPORATIONS TRYING TO OPPRESS OR CONTROL THE SITUATION.

E.R.I.N. IS ORGANIZED BY REGIONS IN NORTH AMERICA AND EUROPE.

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In order to raise money for E.R.I.N., we are selling T-shirts of several designs and colors. One of the designs is depicted on the right. The T-shirts are made of cotton, in blue, white or red and come in the three standard sizes. For further information or to order (pre-paid), write to: WINDED-T, c/o Bob Beatty, P.O. Box 94, Lebanon, N.J. 08833.



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# The Destruction Of A People

## THE WESTERN SHOSHONE AND THE MX MISSILE SYSTEM

By Dagmar Thorpe

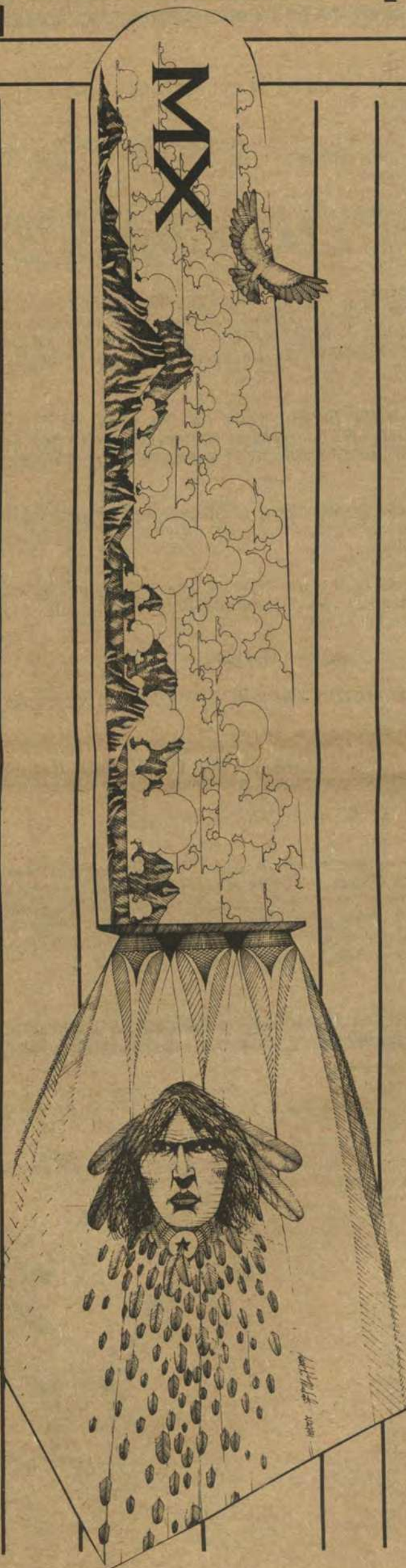
*"The United States Air Force, with the complicity of the Department of the Interior, is proposing to use land to which the title is in question. The title to a large portion of the impacted area is in litigation...The area is the aboriginal territory of the Western Shoshone Indians. We are Western Shoshones. We claim the United States does not have title to much of the proposed site. The Air Force and the DOI are acting with impunity toward the judicial processes of this country. The actions of these federal agencies are another staggering 'rip off' of Indians and Indian lands which follows historic patterns... We suggest that this committee should not even consider a withdrawal request by the Air Force until such time as the title question is fully and completely litigated."* (Statement of Jerry Millett, Chairman, Duckwater Shoshone Tribe before the House Interior Subcommittee on Public Lands, Hearing Regarding the Proposed MX Missile System.

In eastern Nevada, the Western Shoshone people face the largest threat to their survival since the first European contact. The Shoshone have endured settlement of non-Indians on their most fertile lands, chaining of the sacred pine nut tree, wanton destruction of deer by trophy seeking hunters, and attempts by the United States to extinguish their rights to ancestral lands. The Western Shoshone people now face the largest threat to their survival as a nation of people - the MX missile system.

Some non-Indian observers believe placement of the MX in Nevada is part of a continuing process to deprive the Shoshone of their land. "I realized that the MX is only different by degree from the prior destruction of the pine forests and that both are just symptomatic of the larger crime the Shoshones have been trying to broadcast since 1910. The United States is stealing Shoshone land. The bureaucrats involved are not really concerned about the legalities or the matter of what the Indians have to say about it. They are just following a set of rules, a logic of procedure, begun a long time ago which obscures to the world, even to themselves, the knowledge of what they are actually doing."

The most overlooked issue in placement of the MX missile in Nevada and Utah is the devastating impact upon the original people of this area. The Western Shoshone people number approximately 2,000 and are scattered throughout 24 million acres of ancestral lands in eastern Nevada on reservations and colonies at Battle Mountain, Elko, South Fork, Duck Valley, Duckwater, Odger's Ranch, Ruby Valley, Yomba, Ely, and Beowawe. The United States government has not addressed the fact that much of the land designated for the MX missile is on unextinguished Western Shoshone lands or the genocidal impact upon the cultural and spiritual ways of the Shoshone people. Despite persistent efforts by the Shoshone people to bring these issues before the United States, the Air Force has continued to ignore the rights of the Shoshone to ancestral lands, cultural and spiritual ways, and the right to continue as a people.

The Western Shoshone people have actively participated in the Environmental Impact Study process for the MX missile through attending scoping hearings, testifying before Congressional subcommittees, meetings with Air Force representatives, and through formal correspondence. The Shoshone have made every effort to actively participate in this process which will drastically affect their people. The Air Force has ignored, and shall probably continue to ignore, the rights of the original people of these lands in pursuit of placement of the MX missile. Ignoring the rights of the Western Shoshone people is not an oversight, but an intentional act of destruction perpetrated against them. Placement of the MX missile in Shoshone ancestral lands will mean the annihilation of the natural world, Shoshone traditions, culture, and religion - and



eventually the Western Shoshone people themselves.

Elmer Rusco, noted scholar and member of the State of Nevada's Native American review committee for the MX, concurs that Shoshone land rights are a legal obstruction to federal acquisition of substantial lands in Nevada which may be needed as missile sites. "The Air Force plans to build the MX missile system primarily in Nevada and Utah may meet their major obstacle in the land claims put forward by the Western Shoshone, who maintain that they still have title to most of the lands in Nevada...The controversy over ownership of the lands covered by the Ruby Valley Treaty which have not already passed into private hands, a dispute which is already in court and certainly is a genuine legal controversy, may delay for years or even defeat the MX missile project."

Nevada tribes and Indian organizations recently attacked the Air Force draft Environmental Impact Statement (EIS) for the MX missile system. They charged that the Air Force purposely omitted Shoshone land rights to support their decision to base the MX in Nevada and Utah. The Duckwater Shoshone tribe, the Battle Mountain Indian Colony, the Western Shoshone Sacred Lands Association, Native Nevadans for Political Education and Action, and the Nevada Indian Environmental Research Project challenged that the EIS did not consider Western Shoshone land rights as an issue to be dealt with in the land withdrawal process.

John O. Connell, attorney for the Western Shoshone, said: "Nowcorporation in the United States would undertake a vast construction project without first doing a title search. The United States does not have title to the land, I am concerned that the Air Force will get so committed to this project that the national security will depend on it. Then the United States will be forced into repeating its atrocities of the last century by expropriating Shoshone land."

The only reference to Shoshone land rights in the draft EIS is a short paragraph which the Western Shoshone Land Protection Alliance regards as "an erroneous conclusion" which makes it appear "that the question of Western Shoshone land rights has been resolved by the courts and that Shoshone title to these lands has been extinguished." The EIS concluded "The Ruby Valley Treaty of 1863 granted the Western Shoshone approximately 24 million acres of land. The treaty boundaries coincide with the Shoshone ancestral occupational area. In 1951, the Indians claimed compensation for treaty lands lost to white settlers. An Indian claims commission award of \$26 million was refused by the Te-Moak Bands of Western Shoshone in 1974. The Te-Moak petition for land restoration was denied by the Supreme Court in 1979."

The Western Shoshone Land Protection Alliance, whose members include the Duckwater Shoshone tribe, the Battle Mountain Indian Community, and the Western Shoshone Sacred Lands Association believe that not only is the Air Force disregarding the Western Shoshone, it also ignores the results of its own research. The draft EIS is in direct conflict with the conclusions reached by Native American studies developed to prepare base line data for the EIS.

Both of these studies were prepared under subcontract with the USAF. The Environmental Technical Report for Native Americans concluded that the "The Shoshone title to much of the land under consideration for MX deployment has never been extinguished."

The DEIS also directly conflicts with the MX Native American Cultural and Socio-Economic Draft which states "The Western Shoshone title to all of the so-called 'public domain' within the Shoshone aboriginal territory is therefore unextinguished and very much intact. The Western Shoshone have the present right to unhindered use and occupancy of at least 18 million acres of land in central Nevada, including a large portion of the area selected by the United States Air Force for the basing of the MX missile system. The Air Force must take into



**“ PLACEMENT OF THE MX MISSILE ON SHOSHONE ANCESTRAL LANDS NOT ONLY RAISES A QUESTION OF THE LEGAL AUTHORITY OF THE UNITED STATES TO UNLAWFULLY SIEZE SHOSHONE LANDS FOR THIS PURPOSE.--- IT IS ALSO THE CLEAREST MODERN EXAMPLE OF THE CONFLICT BETWEEN “TECHNOLOGICAL” AND NATURAL SOCIETIES.... ”**

consideration the fact that the United States does not presently own the land within the Western Shoshone aboriginal territory which the Air Force wishes to utilize for placement of the MX missile system.”

The Western Shoshone people also refer to affirmations by United States officials that Shoshone land rights would be given consideration during the EIS process. They point to remarks by Congressman John Sieberling, Chairman of the HOUSe Subcommittee on Public Lands, who assured them during oversight hearings on the MX that “All I can say is if this land belongs to the Shoshone by treaty, then there is no way that the Air Force can get it without agreement of the Shoshone tribe, and I am sure that the courts will back you up.”

The Shoshone cite remarks of Air Force General McCartney who assured the Sacred Lands Association that the Air Force would construct and deploy the MX system only upon those lands to which the United States has legal title. “It is the intention of the Air Force to construct and deploy the MX system only upon those lands in which the United States has or acquires legal title

If a bona fide question or dispute should arise pertaining to legal ownership of lands which is to be purchased or withdrawn from the public lands of the United States, that question must be resolved by an appropriate judicial forum. If Nevada is selected for siting of the missile, all necessary measures will, consistent with applicable law, be taken to ensure that the property rights of individuals or groups are not threatened.”

The United States Air Force is purposely avoiding the issue of Shoshone land rights to support its effort to base the MX in Nevada/Utah. There can be no other explanation for omitting Shoshone land rights in the DEIS for deployment area selection and land withdrawal/acquisition. The Western Shoshone have a well documented records of raising their land rights issue during the EIS process. As early as November 17, 1979, Nevada tribes formally opposed placement of the MX missile as it “directly conflicts with the possessory land claim of the Western Shoshone.” Over one year later, on January 29, 1981, United States Air Force representatives publicly denied knowledge of Shoshone land rights, as an issue to be dealt with in the land withdrawal process. Jerry Millett, Chairman of the Duckwater Shoshone tribe said, “We have told the Air Force that until the title question is settled, there shouldn't be any plans for the MX in this area. Each time we have a meeting with the Air Force they talk about how they are unaware of this issue. Everytime we write to them we address this issue. Don't they read their mail? On January 29, 1981 at the Moapa meeting, again Air Force officials denied that they were aware of this issue.”

Placement of the MX missile on Shoshone ancestral lands not only raises a question of the legal authority of the United States to unlawfully seize Shoshone lands for this purpose it also it is also the clearest modern example of the conflict between “technological” and “natural” societies. For the Western Shoshone view the MX as another step toward the destruction of mankind, as well as, destruction of the Shoshone ‘world’.

**ARE WESTERN SHOSHONE LAND RIGHTS OF LESS IMPORTANCE THAN OTHER LAND RIGHTS IN THE UNITED STATES?**

“This committee, also has jurisdiction over legislation affecting Native Americans and I think you will find that we are particularly conscious of our responsibility to protect your rights and interests...We will do everything we can to see that (your rights) are not trampled upon for national defense or any other purpose.” John Sieberling, Chairman, House Subcommittee on Public Lands to Jerry Millett, Chairman, Duckwater Shoshone tribe.

Placement of the MX missile within lands which are not the property of the United States but rather whose title belongs to the Western Shoshone people is a clear violation of American constitutional, property, and treaty law. Seizure of Western Shoshone lands for the MX missile also violate international concepts of human rights and social justice. A Nevada Humanities Committee publication concluded that “If the government never gained title to the lands from the sovereign people whose ancestors occupied it before 1776, indeed before 1492, then the entire MX missile system would be trespassing (on Western Shoshone land).”

The issue of Western Shoshone title is still being litigated in the courts of the United States in the case of United States v. Mary and Carrie Dann. An appellate brief has just been filed in the Ninth Circuit Court of Appeals. Can the United States ignore the fact that Shoshone land rights are being actively litigated? Should the land rights of the Western Shoshone people be ignored as an insignificant problem not deserving attention by the United States. Are the property rights of Native American people deserving of less constitutional protection than the property rights of others within the boundaries of the United States?

Clearly if the United States government refused to recognize the property rights of any other person or entity in its placement of the MX missile, the national outrage would be significant. The Western Shoshone people in protest issued a declaration which stated that Native American people should also be protected by the United States Constitution. “We declare that we are human and are entitled to all the human rights that are given to us by the Great Spirit which rights are alluded to in the Constitution of the United States as belonging to all people.”

It is inconceivable that the United States would overlook the property rights of the Western Shoshone in furtherance of MX missile objectives, although this action is clearly part of a pattern of historically unlawful seizures of Native American land and resources. A joint press release issued by Nevada Shoshone tribes and Indian organizations concluded that the exclusion of Shoshone land rights from the EIS was probably intended to limit public review of this issue in order to expedite construction of the MX. Debra Harry, Coordinator of the Nevada Indian Environmental Research Project - a project of Native Nevadans for Political Education and Action and the American Indian Environmental Council, designed to protect the environment - concluded that the “Air Force exclusion of the Western Shoshone title issue is obviously an effort to prevent public discussion of critical issues which would hamper their efforts to construct the MX in the Great Basin. The American public should be outraged that all property rights, particularly Western Shoshone, are being disregarded for a project not yet proven to be in the best interest of the national security.”

**THE 1863 TREATY OF RUBY VALLEY**

“We will continue to hold our treaty and our lands...the earth, our mother is not for sale” Frank Temoke, descendant of the principle signer of the Treaty of Ruby Valley.

The aboriginal territory of the Western Shoshone encompasses 24 million acres of southeastern California, eastern Nevada, and Western Utah. In 1863, the Western Shoshone and the United States entered into the Treaty of Ruby Valley, which defined the territory of the Western Shoshone as a 15 million acre area in what is now Nevada and ceded Western Shoshone title to all lands lying outside the new boundaries.

The Western Shoshone issued a statement of protest against placement of the MX missile within Shoshone treaty lands. This statement describes the Shoshone attitude towards the treaty:

*In 1863, the United States of America and the Western Shoshone people made the Treaty of Ruby Valley in which the United States acknowledged the boundaries of Western Shoshone land, and in return, the Western Shoshone agreed to allow the white man to have the rights of way across the land and to use the land for towns, farms, and ranches necessary to support the mining. The Western Shoshone have respected that Treaty and allowed the white man to settle within our lands. The Treaty of Ruby Valley was a treaty of peace and friendship. No ceding of Western Shoshone land took place and no other agreements have been made pertaining to Western Shoshone land. The association takes the position that the Treaty is the only official action taken between the United States government and the Western Shoshone people. Therefore, Western Shoshone lands remain in the same status as they were in 1863. In plain words, the Indian title to Western Shoshone lands is still owned by the Western Shoshone people.”* (Statement of protest against the MX missile being placed on any portion of Western Shoshone treaty lands).

Today, the United States government blatantly asserts the authority to control this treaty-guaranteed Western Shoshone land as national forest or public domain lands. Since 1934, the Bureau of Land Management has asserted authority to manage and control most of this area. All of these actions violate the Treaty of Ruby Valley. The Western Shoshone continue to assert legal title to these lands, except for a few acres of publicly owned or occupied land which have been used for purposes authorized by the treaty. The United States has never actually extinguished Western Shoshone ownership of the so-called public domain lands. Western Shoshones still retain title and the right of occupancy of at least 18 million of the original 24 million acres in their aboriginal territory. Steve Linshied, staffer for the Friends Committee on National Legislation, comments about the irony of a treaty of peace and friendship being abrogated by the United States for national defense purposes.



“One cannot help noting the extreme irony in the Shoshones struggle. The lands guaranteed them in a treaty of ‘peace and friendship’ with the United States are in danger of being devoured in the interest of U.S. defense. Yet threat - real or imagined - from either nations appear quite distant compared to the immediate dangers and injustices posed by the MX missile...Next to 4,600 nuclear missile shelters imposed on the Shoshones’ Great Basin homeland, all our noble words on faith and justice will sound mighty hollow.”

“Why should we have to sell our rights just because people say so. I want money too, just like everybody else. I would be a liar if I said I didn't. But I will take money only for the right thing - not for the sale of my land rights. My rights are not for sale at any price. I am worried about my future, to be an Indian you have to be close to the land. When you are fifty years old, your life is about gone. Here the federal government is using all its power to take away our Indian land rights. All I have left is not to take the claim money.” Edward McDade, Shoshone rancher, South Fork Reservation.



**“JERRY MILLETT, CHAIRMAN OF THE DUCKWATER SHOSHONE TRIBE SAID, ‘WE HAVE TOLD THE AIR FORCE THAT UNTIL THE TITLE QUESTION IS SETTLED THERE SHOULDN’T BE ANY PLANS FOR THE MX IN THIS AREA. EACH TIME WE HAVE A MEETING WITH THEM, THEY (SAY) THEY ARE UNAWARE OF THIS ISSUE. EVERYTIME WE WRITE TO THEM WE ADDRESS THIS ISSUE. DON’T THEY READ THEIR MAIL?’”**

”

In 1977, the Indian Claims Commission entered an award of \$26 million dollars for the extinguishment of Western Shoshone title. The Indian Claims Commission was established in 1946 to provide monetary compensation for the taking of Indian land and resources. In the Western Shoshone case however, the Commission is being used as a means to pay for lands never taken by the United States and thereby extinguish the Shoshone right to it. In 1951, a claim was filed on behalf of the Western Shoshones for the alleged taking without compensation of their aboriginal territory, including land reserved by the 1863 treaty.

The Western Shoshone people saw the Indian Claims Commission case as a way to have their land rights recognized. The claims lawyers did not tell the people that the Commission only had the power to award money. The claims lawyers never told the Western Shoshone that under the firm's theory of claim, they would be forced to give up their rights to their homelands.

Saggie Williams, a Shoshone elder from Battle Mountain, recalls why the claims lawyers were originally hired by the Western Shoshone. “We believe that the treaty is our backbone. We wanted the white men to honor the treaty. I believed that the lawyers here hired to work for the Indians and to do what the Indians asked them to do. But, they didn’t, they did as they pleased and told us that we didn’t have any land. At that time, we didn’t talk about selling our land with the lawyer because we had the treaty which settled the land it protected our lands.” Some Western Shoshone believe that the claims lawyers were actually hired by the United States to do away with their land rights. Corbin Harney, a Shoshone elder from Duck Valley concluded, “I think the federal government asked the firm of Barker to take away our land to do away with the Treaty.”

Clarence Blossom, a Shoshone living in Elko, served on the Western Shoshone Planning Committee which was formed by the claims lawyers to expedite the settlement and distribution of the claims award.

Blossom stated that he would not have signed the attorney contract if he had known that the loss of Western Shoshone land rights would be the result. “The land claims was never explained to the people. The old people did not understand English. Even today, the Indians are in the dark on this land claim. Nothing has ever been explained to us. I read years later that once you accept the money, you lose your land. None of this was explained to the Indians. The government has pulled to wool over our eyes. Make Indians do this and that—sign your life away. If I had known what was going on, I would not have signed the attorney contract.”

The claim alleged that the United States had extinguished Western Shoshone title to their aboriginal and treaty guaranteed territory. The United States did not dispute this allegation, so the issue of whether Western Shoshone title had been extinguished was not litigated in the Commission proceedings. The claims lawyers, representing the Western Shoshone, and the United States lawyers stipulated a date of taking of 1872 because they were unable to identify an act by the federal government which extinguished Shoshone title. The date of 1872 was a fictitious date agreed to by lawyers for both parties during the Indian Claims Commission proceedings. The claims lawyer, Robert Barker, assured the Western Shoshone that the claims lawsuit did not affect Western Shoshone title “You are not selling your land. Anything that has been taken, has been taken. The lawsuit does not change your title one bit. We aren’t affecting your title, we are not selling anything. It has been extinguished and taken.”

Ironically, the fictitious date agreed to during the Indian Claims Commission proceedings has now

become the official United States date of extinguishment of Western Shoshone title. In other words, if the Indian Claims Commission proceedings had not been initiated, the Western Shoshone would not be presently threatened with loss of their birthright. Glen Holley, Chairman of the Battle Mountain Shoshone Community, commented, “Nothing happened in 1872, that is just a made up date. We never lost the land, we never left it, and we’re not selling it. In our religion it is forbidden to take money for land. What’s really happening is that the government, through the Indian Claims Commission, is stealing the land right now.”

In July of 1980 the Duckwater Shoshone Tribe, the Battle Mountain Indian Community, and the Western Shoshone Sacred Lands Association filed a motion in the United States Court of Claims to oppose payment of \$2.6 million dollars in attorney fees to the law firm which represented them before the Indian Claims Commission. The motion charged that the law firm of Wilkinson, Cragun, and Barker violated the lawyer's code of ethics, obtained their contract illegally, manipulated their clients and incurred unnecessary expenditures. The Barker firm, who helped design the Indian Claims Commission Act and its statutory limitations, had a vested financial interest of \$2.6 million dollars in settling the Western Shoshone land claim. Due to the contingency fee arrangements provided under the Act, the Barker law firm had a strong financial incentive to quiet title to vast land areas for money, as opposed to seeking recognition of title. The legal effect upon the Western Shoshone people, however, is the loss of their land rights. Injustice will be the result if the Western Shoshone claims case is allowed to proceed to its ultimate conclusion.

On December 19, 1979 a \$26 million dollar judgement became final in the United States Court of Claims, despite the opposition of a large number of Western Shoshone people. On July 26, 1980 the Bureau of Indian Affairs sponsored the only public hearing of record in Elko, Nevada. At that hearing the Western Shoshone people overwhelmingly opposed acceptance of the Indian Claims Commission award. 81% of those who testified, supported a plan of keeping the judgement money in the bank until Western Shoshone title has been resolved. Tom Luebben, counsel for the Western Shoshone Land Protection Alliance, characterized the Indian Claims Commission handling of the Shoshone case as “part of a continuing effort by the United States to force judgement money down Indian throats in order to quiet title to their lands. This process is a legal and moral outrage which should be recognized as a major human rights and constitutional issue. It is obvious to the Department of the Interior that the majority of Western Shoshone oppose this payment which will extinguish title to their lands.”

On August 4, 1980 in a remarkable victory for the Western Shoshone people, the United States Congress refused to grant the Department of Interior an extension of time to proceed with distribution of the Shoshone judgement award. This is significant because Western Shoshone land rights will not be affected until actual payment has been made to the people. Payment of the judgement award has not been made and the Western Shoshone people are engaged in a continuing battle to insure that it is not paid out. John Melcher, Chairman of the Senate Select Committee on Indian Affairs, said “it appears that a significant number of

Western Shoshone people oppose acceptance of the award at this time. There is pending litigation in the case of United States v. Dann in which title to certain lands and the dates of compensable taking are still at issue. The outcome of that case could clearly have a strong bearing on the course of action the Congress,

the Department, and the Western Shoshone people might want to pursue...Under these circumstances, it is my conclusion that the extension should not be granted.”

#### THE DANN CASE

On April 25, 1980 the Federal District Court for Nevada decided the case of United States v. Mary and Carrie Dann. The United States had sued two Shoshone women, Mary and Carrie Dann, for trespass for grazing livestock on the so-called “public domain” without a federal grazing permit. The Dann sisters maintained that the lands in question were Western Shoshone. The District Court found that the Western Shoshone Indians retained unextinguished title to their aboriginal lands until December of 1979, when the Indian Claims Commission judgement became final. This decision confirmed the belief of many Shoshone that the right to their lands had never been extinguished and that the claims process was being used to extinguish their rights. Carrie Dann, a defendant in the case, concluded, “I have always known what Judge Thompson decided in the trespass case against me by the United States that the title to our lands was never taken by the United States...I am grazing livestock on a lot of land which the federal government claims but which we Western Shoshone still own. I intend to keep using our Western Shoshone land.”

In effect, this decision created two federally recognized dates of extinguishment of Western Shoshone title. The first was the stipulated date of 1872 agreed upon by the claims and government lawyers and the second was December 6, 1979 as established in the Dann decision. John O. Connell, attorney for the Dann sisters, said that the Dann decision supported the position that “The United States never did extinguish Western Shoshone title. The only threat to Western Shoshone ownership is the Indian Claims Commission award...It is now clear that the lands were not taken in 1872 and that the Indian Claims Commission only found that they were because the claims lawyers and the government agreed to that date.”

This decision is now on appeal to the Ninth Circuit Court of Appeals on the grounds that the judge was correct in holding that Shoshone land title was not extinguished but incorrect in saying that the effect of the Indian Claims Commission judgement was to transfer title to the United States. Further, the Dann's argue that the Indian Claims Commission Act does not extinguish Western Shoshone title, it merely bars the the Western Shoshone from initiating claims in the federal courts once payment is made. It does not affect a trespass action brought by the United States against the Western Shoshone. In addition, the claim has not actually been paid to the Western Shoshone and is still being held by the United States. The MX Native American Cultural and Socio-Economic Draft concludes in reference to the Dann decision that the “The Western Shoshone title to all of the so-called public domain land within the Western Shoshone aboriginal territory is therefore unextinguished and therefore very much intact. The Western Shoshone have the present and unhindered use and occupancy of at least 18 million acres of land in central Nevada, including a large portion of the area selected by the United States Air Force for the basing of the MX missile system.”

#### THE MX MISSILE

“The Air Force probably thinks that no one will care about putting the MX here because no one's here but the coyotes, the jack rabbits, and a few Indians.” Corbin Harney, Shoshone elder, Duck Valley Reservation.



In 1979 The United States government recognizing the potential of the Dann decision and the Treaty of Ruby Valley, sought to negotiate a compromise settlement with the Western Shoshones. The proposed settlement would have guaranteed a three million acre reservation and a multi-million dollar payment. Abruptly, negotiations were cancelled and any consideration of a negotiated settlement was ruled out by the government. Reid Chambers, attorney for the Western Shoshone, reported in April of 1979 that "We have been told by the Interior Department officials that the Department has decided not to establish a Western Shoshone Task Force. This is a dramatic, and very unfortunate change, in the Department's position. We do not understand why Interior has changed its policy, or why it has decided to take an action that is so unfair and so bitterly damages the Western Shoshone."

Shortly thereafter, President Carter announced the proposed deployment of the MX missile in the deserts of Nevada and Utah. A large portion of the proposed missile deployment area is in the treaty reserved area of the Western Shoshone. One could conclude that the United States government halted negotiations with the Western Shoshone because it would interfere with their plans for MX missile deployment.

Shoshone leaders view the United States attempt to site the MX missile on their lands, despite their continuous opposition, as an intentional act of destruction against the Shoshone people. Raymond Yowell, Chairman of the Western Shoshone Sacred Lands Association, perceives the MX as "the most destructive monster to be introduced into Western Shoshone country. The effects of its construction - or should war occur - the ultimate destruction of our sacred Mother Earth and the Western Shoshone people."

#### SHOULD THE RIGHTS OF THE WESTERN SHOSHONE TO SURVIVE AS A PEOPLE BE TOTALLY DISREGARDED IN PLACEMENT OF THE MX MISSILE?

*"During the last school year, one of our 12 year old children drew a picture of the MX. The MX was shown going right through his house. What is going through the minds of our children? Jerry Millett, Chairman, Duckwater Shoshone Tribe.*

One of the most severe consequences of constructing the MX missile in the Nevada site, is that it will mean the destruction of the Western Shoshone people. Not the outright annihilation of the Shoshone people, although this would be inevitable in the event of nuclear attack, but destruction of the people through destruction of the natural world. The survival of the Western Shoshone, as with all native peoples, is dependent upon survival of the natural world.

*"In Indian terms, there is no equation in dollars for the loss of herbs, medicines, food, and way of life which will be endangered by the MX. You cannot equate dollars to lives. The Redmen are the last people on earth who speak on behalf of all living things. The bear, the deer, the sagebrush have no one else to speak for them. The animals and plants were put here by the Great Spirit before he put the humans here. All living things have one thing in common, Mother Earth."* Glenn Wasson, Paiute and Shoshone educator.

The Western Shoshone people have endured several hundred years of United States government attempts to acquire Shoshone land and resources. This latest effort, to seize remaining Shoshone lands for the MX missile, will mean the devastation of the spiritual, cultural, and sovereign rights of the Shoshone people. There has been much publicity about the potential impact of the MX on the economy, the cattle business, the boomtown effect on a rural society--the most devastating impact however, will be on the natural world--the native environment and the native people. The sacred land of the Shoshone people will be desecrated. The whole world view and way of life of Indian tribal existence in the Great Basin will be destroyed.

The proposed MX siting in Shoshone country will mean the destruction of the natural world environment. The destruction will be widespread. Glen Holley, Chairman of the Battle Mountain Indian Community, describes the inevitable destruction of the natural world and its relationship to the spirituality of the Shoshone people. "The MX will use a lot of water. Water is life. Water is not just used for consumption, but is also used in spiritual ways--for purification like in sweat ceremonies. The hot springs are spiritual and are used to purify the body before attending ceremonies."

"Another thing the MX will destroy is the natural vegetation and the herbs. Medicine herbs like the ba de ba, doz, sagebrush, chaparral, Indian tea - all these things will be destroyed. Not only the herbs but other medicines, like lizards in the south which are used to heal the mentally sick and arthritis."

"Whatever is used as a defense system to protect the missiles will also destroy the natural habitat - such as electrical fences, nerve gas, or even the use of security personnel - will disturb the natural environment. The natural habitat of the eagles and hawks will be destroyed. The pine trees, a staple food of the Shoshone, will be destroyed. The natural habitat of the eagles and hawks will be destroyed. The pine trees, a staple food of the Shoshone, will be destroyed. Other natural foods will be destroyed: the rock chuck, ground squirrel, rabbit, deer, sagegrouse, and rattlesnake."

"Some of the areas designated for the MX are recognized by Indians throughout Nevada, as being spiritual lands. These areas were used regularly for praying, until the Bureau of Land Management came in to control the public lands. Ceremonies such as the round dance, bear dance, cry dance and now new Indian doctors use these places to fast as part of their ceremonies."

The Western Shoshone people believe that it is their duty to protect Mother Earth and all that is upon it. The Western Shoshone Sacred Lands Association on November 3, 1979 declared:

*"The land is most sacred, as is the water flowing upon it. The growing things of the land. The air we breathe. The food that grows for us to eat. All of these things were put here for our use by the Great Spirit and respect is given them by all Indian people of this land. The Western Shoshone have a duty to protect these things... We declare that we are opposed to the installation of the MX missile system or any other offensive weapon of war."*

To the Western Shoshone people, survival of the land means survival of the people. The land and the people are inseparable. Corbin Harney, tribal elder from the Duck Valley Reservation explains: "Way back in 1929, I began to realize that the land is most important to the Indian people. My grandmother told me before her death that the land is yours, the land that you walk on will always be there until your death. She always told me to never forget this. This land cares for us people - it takes care of us. It provides food for us, provides water, and the wind. She always said 'If the land is gone, the people will be gone. There will be nothing.' This is when I began to realize that the land is the only thing. It is there to keep for the Shoshone people."

The Shoshone relationship to the land is based upon thousands of years of co-existence. Many traditional elders believe that the people cannot survive as a people, without living on their ancestral lands. Corbin Harney continues: "If our land is taken - where will we go as Indian people? For the non-Indian it is different, a non-Indian can go back to their home country - where their ancestors are. But we as an Indian, if we do not have the land, we have nowhere else to go. This has always been our land, for I would say, a million years. If the non-Indian buys the land from us - he can tell us to move on. Where will we go? ...How can we lose something that is a part of us - something that is tied to our lives? You cannot take this away from the Shoshone people."

Willie Black Eye, a Shoshone Medicine Man from the Duckwater Shoshone Tribe, is concerned about the future of the young, the Shoshone generations to come. He believes, "The only thing that I could say is that I don't like to have this MX on Shoshone land."

We don't like this because of the young people. What will the young do if they put the MX missile here? Where will we go, I wonder? This is our home. If they put the missile here, I don't know what we are going to do. I was born and raised here for 69 years. I like to see the young people grow up here like the rest of our people, that came before them. If they put the MX here, I don't think we'll make it. There will be no future for the young. We will be living right on target. That is all I know."

Glenn Holley, founder of the Western Shoshone Sacred Lands Association and Chairman of the Battle Mountain Shoshone Colony, describes the complex interrelationship between the people and the land and how the MX would destroy the Shoshone people. "If the MX goes through, it will mean the total destruction of the Shoshone people because of our spiritual beliefs and ways of life. The Indian people believe in our spiritual way of life. To the Indian, the universe is as the Bible is to the non-Indian. Wherever a person stands is the center of the earth. Wherever you stand, you are within the circle of life and your spiritual way of life is there. If the MX is situated within Shoshone territory it would destroy the five directions which are the basis for the Shoshone way of life. The MX would destroy: 1) the universe - the skies 2) the south - where the warm winds blow and the warmth of the sun is felt 3) the east - where the sun appears 4) the west - where the sun sets and 5) the north - where the moist air comes through and gives moisture to vegetation. When the sun sets, the sun returns to the Womb, Mother Earth, to rest. Everyone who leads a spiritual life gives offerings to these five directions. The Great Spirit, Grandfather, is the only one who can determine the existence of all living things. The MX will totally destroy the whole meaning of this concept. A man-made monster, like the MX, is in violation of all natural laws of the Mother Earth."

#### CAN TRADITIONAL INDIAN VALUES PROVIDE THE PEOPLE OF THE UNITED STATES WITH DIRECTION FOR ITS OWN SURVIVAL AS A NATION?

*"There is a story that the old people tell about the white man. That they are like children. They want this and that, they want everything they see, like it is their first time on earth. The white men have all these tools but they don't know how to use them properly. The white people try to equate national defense against human lives. There can never be an equation between the dollar bill and living things - the fish, the birds, the deer, the clean air, clean water. There is no way of comparing them."*

*"The white people have no love for this land. If we human beings persist in what we are doing, we will become like a bad cancer on Mother Earth. If we don't stop ourselves, something will stop us. We are destroying everything. The ways things are fouled by nuclear waste, nothing can live on it. After we have made the earth uninhabitable, will the human beings take this to other planets? If we take these ways of destruction to other planets, we will be the worst cancer in the universe. The universe will be programmed for destruction. We will wipe out the whole galaxy with our filth."* Glenn Wasson, Paiute and Shoshone Educator.

Native American peoples have survived on the earth for thousands of years without visible destruction to the environment. The native people took only what was needed for survival. Each taking of an animal or plant was done with respect for the life of what was taken. Thanks was given for the taking of any life. Many native peoples are fearful that the wanton destruction and greed of the non-Indian will quickly make the earth uninhabitable for human beings. The spiritual relationship of human beings to Mother Earth, a relationship of love and respect, is being replaced with human consumption of everything in its path.

Raymond Yowell, Chairman of the Western Shoshone Sacred Lands Association explains the basic difference between Indian and non-Indian thinking in relationship



to the natural world: "Having been raised in the traditional way by my grandfolds, I hold to the traditional views of our land. When an Indian looks at land or water, he doesn't look at it in terms of the money to be gained from it. When an Indian looks at a tree, he doesn't see the number of board feet that he can cut from it. He sees a tree growing there naturally. The Indian feels that the Great Spirit put this tree here for a purpose. The same thing applies to the land. When an Indian looks at land, he doesn't see the acreage he can cultivate to get a cash crop. He doesn't take that view of the land. The land was put there by the Great Spirit for his children, the animals, and so forth to roam and to gather the natural reproduction of the land."

The MX missile is viewed by some Shoshone as another step towards the destruction of the human beings ability to survive on this planet. Lindsey Manning, Shoshone and Paiute councilmember from the Duck Valley Reservation, believes that it is the white man's greed which leads him towards his own self destruction. "The proposed siting for the MX missile is the last open land on this continent. The United States will totally ruin this country, land which under treaty belongs to the Western Shoshone. My belief is that the white man is going to destroy themselves. They are not powerful enough to destroy the earth, but they are stupid enough to destroy themselves. Speaking as an Indian, I believe that it is the white man's greed, fighting over resources, which will create his own destruction. If they would concentrate their knowledge on feeding and sheltering people, taking care of the unfortunate, they would be the true protectors - the leaders of the earth."

"The MX missile is another step of destroying mankind's ability to survive on this earth. The MX is going to be put here for power over resources which ultimately becomes the dollar. The MX missile is being created in the name of national security. However, the MX is not being constructed to defend the rights of all the people, but only to defend the rights of a few to control the earth's resources."

Some Shoshone people believe that it is the replacement of a "spiritual" way of life with an "economic" way of life that creates many of the problems that people face today: pollution, violence, cancer, depression, suicide. Human beings no longer view themselves as part of the natural world, but above it. The natural world is seen only as a means to derive profit. Glen Holley believes that "We indigenous people are born with our own natural laws, our own natural religion, and our own natural way of life which involves Mother Earth. These laws which were put forth to the people - honor, pride, sacredness, cleanliness, respect, love, loyalty, and faith have to be followed. The old people stated that if you don't live by these rules, then you will destroy yourself. If the people as a whole do not follow these rules, then all the people will be destroyed. This destruction may not be by death but by other means which are naturally related such as paralysis, mental illness, or wandering away from the human race. Examples of this are pollution, cancer, violence, changes of weather within the atmosphere, and man-made destruction such as fires. It is the lack of a spiritual life that is creating these things. These natural laws also apply to foreigners. The Great Spirit says this is your Mother Earth. She feeds you comforts you when you are hungry or sick. With that in mind, Mother Earth should never be destroyed or sold for any tokens."

If the people are to survive on this planet, the Earth must be respected in a sacred way. If human beings do not take care of her, she will lose the ability to take care of human beings. Her gifts of life will be destroyed through pollution and misuse. Modern examples of the suicidal direction the United States is heading are numerous. Niagara Falls chemical waste dumps, Three Mile Island, acid rain, the polluted rivers and streams of the East coast. These catastrophes are

actually examples of human stupidity and greed. Corbin Hamey, a Shoshone elder from Duck Valley explains. "This Mother Earth is for the Western Shoshone to take care of as long as we live on it. It provides us with our food and water. If we don't have the earth, where will we go? I don't believe in destroying Mother Earth. The Mother Earth provides

us with food and takes care of the people. If we destroy Mother Earth, we won't have the human race on this earth. We won't survive, no way. The MX will destroy everything pollute the air, water, and earth. The earth looks to us people to save her some way. If you are good to Mother Earth, you will be taken care of by her. If not, then she will do you harm. All the animals are looking to us to pray for them. We, the Indian people have the voice. The animals cannot talk - they have their own way of communicating. We must speak out for the animals and birds to be healthy. That is the main thing, we have to pray for our Mother Earth. We cannot live without the sun, earth, water, and winds. Anyway, that is my belief."

The Shoshone people believe that the Indian must follow the original instructions of respecting the earth in a sacred way. Lindsey Manning, councilmember from Duck Valley believes. "If the Indian people are to survive, we must return to our original instructions of respecting the earth in a sacred way. To pray for her, to walk in prayer with her beauty. The true red children of the creator who live and respect her will

be allowed to remain and survive. We are children of Mother Earth. We must go back to our Indian way of thanking the Creator for this earth and for life. White people must also respect the earth, if they are to survive."

If human beings are to survive on this planet, all people will have to relearn ways of respecting Mother Earth. Without the life giving force of Mother Earth, human beings will not survive. If the non-Indian is concerned with his long range survival, he would do well to listen to the Native American people.

*"The hardest job for the Indian is to tell everybody that they are wrong, but it is the only way everything will survive. We will leave nothing for the children whether they be black, yellow, white, or red. The white people seem to be so smart - they can make planes that fly or the MX missile. But, they won't leave a world their children can live in. It is beyond me, how anybody can be so cruel to the next generations."* Glenn Wasson, Paiute and Shoshone Educator.

## Sami - Crisis In Norway

A struggle by the Sami People against a hydro-electric project that would flood-out their one remaining river valley appears to have achieved a temporary victory.

In Norway - known as one of the world's most peaceful democratic and harmonious countries - five young Sami (Laplanders) men were on a hunger strike for 32 days against the government.

They were part of the struggle of the Sami nation of North Norway to save the last remaining part of the once vast Sap'mi (Sami land). This hunger strike came after several weeks of non-violent sitdown action by Sami people and Norwegian supporters to stop the building of the hydro-electric power plant on the Alta river. This project will be a grave threat to reindeer herding so essential to the survival of the Sami culture in this last area of the Sami land. The sitdown action involved a thousand persons some of whom chained themselves to the rocks, the first in world history to be carried out under mid-winter arctic conditions. The demonstrators were finally removed by trucks by a police force of 600 employing 30 snowmobiles, helicopters, and tactical weapons.

Fearing for the lives of their young hunger striking relatives some women went to Oslo - many of them seeing a city for the first time in their life. They first presented the case of the Sami people to Bishop Andreas Aarflot, Bishop of Oslo on the 5th of February and some churches held day and night prayer services to support the Sami struggle. On the 6th of February, they were able to meet with Norway's new woman Prime Minister, Gro Harlem Brundtland. They tried to speak to her not only as a politician but as a woman and a mother. The women said that as the matter was so urgent they could not leave her office until she promised to stop the construction work in Alta. After a day and night in the Prime Ministers Office, the Sami women were taken away by the police.

The Alta-Kautokeino river is situated in Northern Norway in central Sami areas. The Sami people are the indigenous people of Northern Scandinavia. A regulation of the Alta-Kautokeino river will have negative consequences for agriculture, fishing and reindeer herding, the Samis' principal industries. In addition a regulation will mean other serious ecological disturbances.

The opposition has been going on for ten years. It reached its climax so far in the Autumn of 1979. A group of Sami people were on hungerstrike outside the Parliament, protesting against the Governments decision to regulate the watercourse. At the same time big demonstrations took place all over the country, as well as a protest camp in the regulation area. The actions resulted in a temporary postponement, and the promise of a reconsideration of the project. In addition, they appointed a committee to examine the samis' rights to their territories. In May 1980 the Parliament once more decided to regulate the Alta-Kautokeino river. This was decided in spite of well documented lacks and errors in reports on possible ecological damages.



The Samis' territorial rights as indigenous people, and Norway's international obligations in this field have not been discussed at any level in the debate. The Sami have never been recognized as an independent ethnic and cultural group, and a policy of integration is destroying their culture. Great numbers of their people have lost their own language, Norwegian being compulsory in the schools their children must attend.

The Sami population in Finland, Sweden, Norway and USSR is an indigenous population in its areas and constitutes an ethnic group with its own background, own language and traditional basic subsistence.

The present Sami population is spread throughout a vast region from the Kola peninsula through the Scandinavian inland and the coast of northern Norway. In the northernmost of Norway and Finland there is a Sami majority in some communities.

There have never been a satisfactory registration of the Sami people. According to the official statement Sami population in Scandinavia numbers approximately as follows. Norway 20,000, Sweden 10,000 and Finland 5,000. A more realistic number is somewhere between 50,000 - 100,000 totally in Scandinavia. There are also 2,000 in the USSR.

The media attention the Sami struggle has received in Europe has been embarrassing the Norwegian government who have always stood for human rights in the world. They have halted construction of the road leading to the Alta project. Another stalling tactic is the upcoming investigation of the area for sacred sites. And to be watched very closely this September is the elections for Parliament - where the environmental groups may sway the election in favor of conservation. This could be one major victory for an indigenous group.

---Mary Rojas-Munoz



# MARXISM: PERSPECTIVES FROM A NATIVE MOVEMENT

There are distinct differences between what is widely accepted as Marxist ideology and the ideologies which comprise the Native People's movements. While both movements are avowedly anti-colonialist, anti-imperialist and anti-capitalist, it will be seen that the two traditions have entirely different roots. The Native People's movement expresses an ideology which is, by definition, primarily anti-colonialist and anti-imperialist and which emphasizes cultural diversity. Marxist ideology, on the other hand, is primarily anti-capitalist, and is unquestionably anti-capitalist imperialism and anti-capitalist colonialism many will be surprised that these two ideologies have very different objectives. In fact, Marxist-leninist thought and the ideologies of Native Peoples' movements are so different that the question arises whether the two are in any way compatible at all.

For the purpose of discussion, it will be useful to speak only in the most general terms of a Native Peoples' movement because there is not tradition of a published ideology comparable to the classic works of Marxism. At the same time, there are many Marxist tendencies and almost any general statement about "Marxism" is almost certain to misinterpret some tendency of Marxist thought. Although there are fundamentalists within both groups, it would be unfair to state that either Marxists or Native Peoples' movements are ideologically static. Both are capable of responding to changing realities and each appears able to incorporate the thoughts of the other to some degree.

Native Peoples' movements constitute a class of ideologies which have arisen, in recent centuries, in response to imperialism and colonialism. Although highly complex and variable in nature, these movements tend to find their roots in the history of specific nations and peoples and their struggle to survive in the face of expanding imperialist (and more recently industrial) cultures. The ideologies of these movements tend to be pro-nationalist (with a cultural definition of nationalism), anti-colonialist, anti-imperialist, anti-industrialist, pro-regionalist, anti-capitalist and, not surprisingly, decentralist. The Native Peoples of the Western Hemisphere are one of the groups of nations and peoples which comprise this class of movements, but there are many other Native groups throughout the world which adhere to similar principles. There are also ideologies within or on the fringes of the Western tradition which propose very similar ideologies, especially the "back to the land" and neo-tribalist groups which promote human-scale societies and regionally-appropriate economies.

Marxism is an ideology which arose in response to the Industrial Revolution. It is today a highly developed, extremely sophisticated intellectual and political tradition which, because of its origins in Western Europe, is primarily anti-capitalist. The tradition known as "Marxism" consists basically of analyses of capitalism and a vision of a post-capitalist society. Marxism is based on the premise that a ruling class exists within the industrial (and specifically capitalist) societies, and that ruling class interests exploit the labor of the working classes. According to the classical Marxist prophesy (which is a somewhat more subjective matter than Marxist analysis) this imbalance of power and exploitation will cause the workers to eventually be oppressed to the point that they will rise up and overthrow their exploiters, the ruling class.

The Native Peoples' movement, at least some sectors of it, has prophesies also. According to the Native prophesies (which are also different from the Native Peoples' analyses) the whole of industrial society is exploiting the physical world to the point that someday the Natural world will be unable to continue to provide the necessary materials for industrial society and the latter will experience some kind of collapse, often initiated by some form of natural disaster(s).

Both movements predict crises in the capitalist modes of production and economy. Marxism promotes that this crisis will be precipitated by the workers, and the Native prophets state that man-made alterations of the environment will trigger events which take the form of natural disasters (droughts, changing climates, crop failures, etc.) or wars which will destroy the base of industrial society and possibly destroy the basis of

human inhabitation of the planet or large parts of the planet.

The Native movements, which see industrial society pitted against Nature, find Nature to be a source of both psychological and economic sustenance. Although Native peoples employ specific and sometimes fairly complex technologies to maintain their societies in parts of the world which require such technologies, these movements are considered "anti-technology" because when they speak of Technology they are specifically referring to the European development of Industrial Technology, which they oppose.

Marxism is an ideology which developed as a critique to capitalism. Marxist critique is sometimes criticized because it views all political movements and definitions within the framework of the struggle between Marxist and capitalist ideologies, as though no other ideologies exist or could exist. Marxist writers very often write as though there exist in the world only capitalism and Marxism, and they often describe political thoughts or analyses which are not their own as having either capitalist (or bourgeois) roots or being incorrect (counterrevolutionary) Marxism.

Despite this sense of the world in terms of black and white, Marxism and capitalism, the two ideologies do have some striking things in common. Like capitalist ideologists, Marxists generally see nature as an object to be manipulated and exploited. Marxism has developed the almost automatic response that any subjective view of Nature must be a product of bourgeois romanticism. (Capitalists, incidentally, share an aversion for "Romantic idealists," especially on environmental issues.)

Marxism generally tends to view Industrial Technology as being almost universally benevolent, and their definition for "progress" sounds alarmingly similar to the definition which capitalist technocrats have for that word. The Marxist tradition, which has developed a simply marvelous methodology for the analysis of capitalism, has simply never been able to apply the same kind of methodology to industrial technologies.

**"...MARXIST COUNTRIES ARE SUBJECT TO PARTICIPATING IN COLONIALISM BECAUSE THE NATURE OF INDUSTRIAL SOCIETIES IS THAT INDUSTRIES NEED RAW MATERIALS WHICH ARE TO BE FOUND IN THE LANDS OF PRE-INDUSTRIAL (OR POST INDUSTRIAL) SOCIETIES."**

Marxist thought also sees religion as a threat, a diversion from the work of organizing the proletariat against the ruling class, the oft-mentioned "opiate of the proletariat." There are, of course, Leftist and Marxist tendencies which do not accept this definition of religion, but the general flow of Marxist ideology holds that religion or spirituality of any kind serves the interests of the ruling capitalist classes.

The Native movements, on the other hand, view spiritualism (which the Marxists would identify as religion) in an entirely different light. Some Native peoples speak of "liberation theologies," and they base their spiritualism on a reverence for Nature. Native movements have not been averse to the use of scientific evidence to move their arguments forward, a development which fundamentalist Marxists would find a contradiction. Marxism finds religion a contradiction to science. The Native Peoples' movements, especially during the Twentieth Century, have looked to scientific evidence as a source of proof of their views that Industrial Technologies are a danger to the Natural World and to peoples who would depend on the Natural World for their existence and survival. Native peoples also point to their perception that, although industrial peoples may not have developed an awareness of reality, they too are dependent upon the Natural World for their survival. Spiritualism, then, is an important ingredient to Native peoples' movements, although it is a Natural World spiritualism which is in many ways a complete contradiction to the spiritualism or religion of the Industrialized West and which has a completely different history.

The social objectives of these two movements are also substantially different. The Native peoples often express a strong desire to promote the health and survival of the extended family. They see the social institutions of the industrial societies as a threat to the family in general and to the extended family in particular. To Native Peoples' movements, the extended family offers an alternative to technocratic, hierarchical industrial societies. The Native movements assert that Native peoples compose small nations and peoples of the world, and that such nations and peoples have rights to continue to exist, to be self-governing, and to determine their own destinies. Since this ideology promotes local autonomy and the development of the integrity of local communities, and since the idealized Marxist industrial society (called socialism) requires that its members' needs be met by a huge and centralized nation-state apparatus, the two movements differ greatly in this area. In fact, even in those countries where Marxist ideology is characterized by a tendency with a reverence for the family, there exists a contradiction which is glaring, at least in ideological terms.

There are other areas in which Marxist ideology and practice are clearly contradictory to the objectives of Native Peoples' movements. It seems unlikely that a huge socialist industrial country would be supportive of the claims of small nations and peoples to local autonomy and cultural identity. The history of the Soviet Union under socialism is not a model which champions the rights of its "national minorities." In fact, it is open to question whether it is possible for an industrial society, under either capitalism or socialism, to avoid being a colonialist power. Suppose that a Marxist country found out that it was cheaper to import natural raw materials from some pre-industrial society which had been colonized. History has shown us that countries like the Soviet Union have chosen to go to the world market to purchase raw materials (such as rubber) from capitalist suppliers which acquired those materials from the lands and labors of Native peoples. In that sense, Marxist countries are subject to participating in colonialism because the nature of industrial societies is that industries need raw materials which are to be found in the lands of pre-industrial (or post-industrial?) societies. Industrial societies depend on the mass market and are, by definition, colonialist in nature. Capitalist and socialist ideologies share the same view on this subject. Given uranium deposits on the lands of Native peoples, there is nothing in Marxist ideology which would prevent the exploitation of that resource even if the result is the predictable destruction of whole cultures.

A student of Marxist ideology could easily conclude that the planet Earth is endowed with practically infinite material wealth which, given proper social organization, could benefit all the masses of the earth in the form of material enrichment. Within that ideology is the assumption that all the peoples of the world could, given the fall of capitalism, become industrialized. The peoples of Burma and Thailand could become industrialized, the peoples of the Sahara and the Gobi, the peoples of the rainforests of South America — all could be integrated into a world society of industrial workers. The product of all that industrialization would be a controlled economy run for the benefit of the proletariat which would see to everyone's material needs for an indefinite amount of time.

The oil which would fuel the cars of industrialized Nepal and Madagascar would be found and developed. Nuclear power could be expanded indefinitely and, under socialism, that technology would automatically be improved and made safe. Marxist ideology is, to be kind, pretty idealist.

An ideology which envisions an industrial society, whether run by workers (if that were possible) or by a capitalist (or socialist) ruling class, is bound to conflict with an ideology which favors local autonomy and locally appropriate economies (and thus technologies.)

MARXISM CONTINUED NEXT PAGE



## MARXISM CONTINUED

The reasons for this are to be found within the basic structure of Marxist thought. According to the tenets of Marxism, capitalist class interest will create such oppressions that the proletariat will be forced to violent revolution to overthrow the ruling class. Following the revolution (which, by the way, has yet to happen in any industrialized country and which happened in the Soviet Union prior to Russia's period of industrial development), *avante-garde* elements of the revolutionary intelligentsia will take control and organize the country to bring socialism to reality. The emphasis here is heavy on the concept of organization and hierarchy. This organization is to be undertaken by an intellectual bourgeoisie which in fact has evolved into a privileged managerial class which serves functions very much like those served by the ruling class under capitalism. The proletariat will benefit from this benevolent hierarchy because there will be a more equal distribution of goods and services, and because there will be full employment in a workers' paradise. This emphasis on hierarchical organization and the conscious creation of a privileged managerial class has caused critics of Marxism to assert that Marxism is, after all, a bourgeois ideology.

When Marxist theory was first formulated, the industrial age was fairly young, and people had not yet been faced with the horrible excesses of industrialization, nor did they have a full appreciation of the pitfalls of bureaucratic hierarchies. There were, in those now-forgotten times, no reports of such phenomena of the Love Canal, no worries about oil or wood shortages or any kind of materials shortages. The idea that they might one day be major accidents involving nuclear waste dumps, accidents such as are reported to have occurred in the Soviet Union, had not yet surfaced. Marxism was born in a day before these things were known. It was a time when industry could be idealized and industrial societies could be idealized and when genetic mutation and nuclear pollution were the subjects of science fiction and not the day's newspaper headlines.

Modern Marxism is saddled with assumptions which were appropriate to the mid-nineteenth century. Marxist analysts generally ignore or deny that there are any materials shortages in the world, or that there will be such shortages. They assert, in their role as prophets, that technologies will be developed which will solve any of the industrial world's problems, a prophesy which is much in agreement with prophesies of their capitalist counterparts. Marxist ideology is clearly committed to promote the opinion that whatever "benefits the needs of the industrial proletariat" be that oil drilling in the Arctic or uranium mining on the tundra, is justified. If any local peoples happen to be living where the minerals are, their existence must be sacrificed to the "needs of the proletariat." That justification is, of course, a lie. The real reason that peoples are sacrificed under socialism is that Marxism creates a ruling (call it a managerial) class which has the same interests in this development as the ruling class in capitalist society.

Marxist ideology is historically a bourgeois ideology in the sense that practically all of its inventors and theoreticians were members of the bourgeois class. It seems without question that most of its organizational fetish is a product of that bourgeois influence — the bourgeoisie, however radical, has a subconscious fear of the masses. Thus the new bourgeoisie is given a role in Marxist ideology — they are to be the intellectual elite, the party members, the "dictatorship of (over) the proletariat," the non-workers in a workers' paradise.

The Native Peoples' movements generally seek egalitarian social structure in a post-industrial society, and there is a considerable amount of assertion that class structure of any kind is to be avoided.

The basic theoretical conflicts between Native Peoples' movements and Marxist ideology lies in the disagreements between the prophets of the movements. The prophets of the Native movements seem to be saying that capitalism and all of industrial society must eventually come into crisis because the material base of their society is finite and has physical limits. When those material limits are reached and exceeded, the industrial society will come into crisis.

The differences between these two movements can be seen as differences between a movement which originates from within industrial society and one which originates outside of that society. At least some of the differences reflect the different realities which face

Native peoples and those realities which are faced by industrialized peoples.

Native prophets state that what will happen is that industrial societies will overextend themselves in the physical world. There are a number of tendencies to these prophesies, but it seems generally to be true that Native prophets see the collapse of industrial society as a product of the exhaustion of the Natural World, although they are not usually absolutely specific about whether that means that it will run out of energy or raw materials or it will pollute itself to death. It is probably safe to state that most of the Native prophets and prophesies do not find it impossible that industrial society will do both. Wars are sometimes predicted.

It is interesting to speculate that the Native prophesies could conceivably come to pass even after the Marxist prophesies had come to pass. That is, it could happen that the workers' paradise could experience crisis because of a coal or iron ore shortage, or widespread poisons which result from the use of chemicals in technology could cause massive social and economic disruption. Wars are always possible, and the wars of the atomic age seem likely to be able to bomb the human race "back to the stone age," or into infinity.

Marxist prophecy makes two general predictions. The first (which now reads like early Christian expectations of the second coming of Christ, which they expected within the first two centuries, A.D.) is that the oppressed proletariat will rise up and overthrow the

### **"ASIDE FROM THE ASSERTION THAT MARXISM IS ULTIMATELY A BOURGEOIS IDEOLOGY, THE SINGLE MOST DAMNING ACCUSATION BROUGHT BY NATIVE PEOPLES AND OTHER CRITICS IS THAT MARXISM IS SIMPLY A DISTILLATION OF CAPITALIST INDUSTRIALIST WESTERN SOCIETY."**

ruling capitalist class. The second is that some form of mismanagement or false management of the world capitalist economy will lead to a crisis which will cause the world market economy to collapse. This area of prophesy has many variations (and the market economy collapse which focuses on the expectation of currency failures is very recent and is not correctly Marxist in origin,) but all conclude that the world economic crisis, which will cause capitalism to go into serious crisis, will trigger revolutions around the world.

Marxism offers a future world of an industrial paradise where the workers' needs are taken care of by the state and where material want has been eliminated. The native movement's prophets offer a future world where humans are interdependent with the forces of Nature, where there is little State power but great local autonomy, and where the workers (although they would not refer to the people as workers) are the consumers of the products of their own labors. Some Native prophets offer a future which is considerably more bleak — a world in which Nature has been all but destroyed and where people exist on the submarginal remains of the world's ecosystems.

Aside from the assertion that Marxism is ultimately a bourgeois ideology, the single most damning accusation brought by Native peoples and other critics is that Marxism is simply a distillation of capitalist industrialist Western society. Some Native political philosophers believe that Marxism is exactly what so many Marxists promote it to be, the most efficient form of social organization for Industrialized Man. Some of the Native people see the workings of Marxist ideology as leading to a super-industrialized world in which the worst effects of industrial capitalism, which they see already destroying the world, are made to move even faster and more efficiently.

There are some strong arguments in the defense of Marxism, and some weak ones. The argument that Marxism is the only kind of organized resistance to capitalism which has ever worked does not appear to stand the test of history. Most successful revolutions in this century have been nationalist in nature, and not class struggles of the type envisioned by Marxist ideology. It is probably more correct, however, that in some of the industrialized countries, especially in Western Europe, Marxist critiques of capitalism and the organization of the workers are necessary steps in the development of movements which may free peoples. It is also true that Marxism has many faces, and that the

Native Peoples' movement can find many allies among workers' groups and organizations. The two movements have greatly different ideologies, histories, and different goals and objectives, but there are many Marxist tendencies which are truly anti-colonial in theory. There are some Marxist tendencies, or at least tendencies which call themselves Marxist, which reject the hierarchical structure which has characterized Marxist history. The Native Peoples' movements are not and should not be engaged in an ideological war with all of these Marxist tendencies.

The movements of Native Peoples and Marxism are two separate and distinct ideologies. In many aspects, Marxism and these movements conflict in ideology. The Native Peoples' movement will, hopefully, develop a well-articulated and published ideology at some point during the ensuing decades, and there could well develop an intellectual tradition which could be studied and shared among many peoples. Marxism has never been critiqued from a perspective which is truly external to the objectives of Western ideologies. The first responses of Marxists has been to fall back on old and tried answers which were applicable in response to capitalist criticisms but which misinterpret the source of criticisms from what the Marxist language calls the Third World. The debate, one might say, has barely begun. The struggle, however, continues.

There are also some strong arguments in criticism of the Native Peoples' movements. Foremost among those arguments is the observation that there presently exists no published tradition which really represents this ideology. This lack of a published ideology makes it very difficult for the movement to acquire adherents, since there seem to be no recognized philosophers whose work can be used as a teaching and study tool. In fact, this problem is so significant that even to speak of a "Native Peoples Movement" and its principles requires that one invent the term for the purpose. This lack of a recognized published ideology leaves the Native peoples open to unfair criticisms which are not based on any real intellectual history. For example, critics of the movement state that Native peoples tend to idealize the past, and that they are not sensitive to current realities. Some of those criticisms are indicative of the critics, especially those which see Native peoples as entirely historical beings. There is some resistance by contemporary European writers to accept the concept and reality that Native peoples and political philosophers exist in the Twentieth Century, a bias which is shared by both the conservatives and the modern Left. There is also a tendency on the part of many critics to assume that a Native peoples' movement must be Romanticist in nature without any real effort to analyze and compare these movements. There may be tendencies within Native movements which have some Romanticist tendencies, but writers within the movement tend to be critical of Romanticism.

There is also the tendency on the part of modern critics to see Native movements and anti-scientific and as anti-intellectual. Thus Native movements are stereotyped in ways that would be immediately challenged were they applied to other movements, but go unchallenged by a Native community which has no identifiable body of intellectual thought. It is a weakness which Native Peoples' movements need to address.

Finally, too often Native Peoples' movements try too hard to disassociate themselves from all other forms of political ideology. There is an effort on the part of some Native peoples to try to be absolutely unique, and to eschew any connection whatever with any other analysis or tool of analysis other than that developed by themselves. There appear to be substantial areas of Marxist thought in the critique of Capitalism which should be useful to the Native movement, and there is a kind of progressive humanism which surfaces in the writings of many current writers on the history and development of technology and political economy which can serve to move Native interests forward. There is nothing contradictory about Native people seeking and finding allies within the camps of the ideologies of other peoples, and there is little doubt that social change, were such to take place in the West, would produce ideologies and movements which could compliment the objectives of Native peoples. There is nothing in the annals of history to prove that Marxists cannot acquire some kind of spiritual awareness (even if it is not religion) and that Native peoples cannot develop or adopt forms of acceptable technologies which meet their needs in the context of their current realities. In fact, these kinds of things must happen.

---John Mohawk



# Miskito Nation: AN INDIAN "PROBLEM" FOR NICARAGUA

A conflict between the Sandinista government in Nicaragua and the leadership of the Miskito Nation erupted into violence this past February, leaving several people dead on both sides, and leading to the arrest of a number of Miskito activists.

One of the men arrested by the Sandinista government, Armstrong Wiggins, was the Miskito delegate to the 1977, Geneva Conference. Later, Mr. Wiggins visited several Six Nations communities and recorded an interview with the editors here at NOTES.

The Miskito Nation is situated in the Northeast of Nicaragua. A jungle and coastal people numbering over 100,000 population, they have been involved in a struggle for sovereignty since their colonization by the British in the 17th Century.

During the anti-Somoza revolution, activists from the Miskito Nation (along with their neighboring Sumu and Rama Indian peoples) fought alongside the Sandinista government.

The three Indian Nations were largely organized by an association called MISURATA -- a name reflecting their three separate national identities.

Armstrong Wiggins: "In some ways we have been fortunate. Our territories are nearly impenetrable. The jungle, unless you are totally familiar with it, is very dangerous. It is easy to get lost, and then there are the snakes and poisonous insects. Many of the areas, only our people know how to move around."

According to Wiggins, the work of MISURATA in its early days was of organizing large congresses of the Miskito, Sumu and Rama peoples -- gatherings which required that participants travel for several days by foot and canoe to attend.

"At those meetings, which often lasted for more than a week, everyone spoke. We gathered there the feelings of the people and there, as an organization, attempted to provide the avenues through which those feelings, those concerns, could find resolution."

"And what did the people want?" he was asked.

"Well, there are many problems -- malnutrition, the loss of lands, arrests and abuses by the (Somoza) government, disputes about hunting and fishing. The people wanted more access to education, too. And in our own language. And we wanted to govern ourselves."

"Do you mean autonomy -- sovereignty?"

"Yes. The feeling is very strong that we should handle our own problems. Negotiate for ourselves. We are very much like that. Our customs -- like for marriage, the foods, the village authorities -- we don't want to change that. We are very proud that way."

"What have been the effects of colonization on these ways?"

"Well, the same as all the Indian Nations -- as was documented in Geneva. We have for instance, the Christian missions. In our case the Moravians have made great inroads in our belief systems. And then, the so-called development."

During that interview, which was conducted in the Fall of 1977, Mr. Wiggins spoke of a highway that was planned for construction through Miskito territory -- a project that the people were opposing.

"Those of us that have been educated," he said. "We understand the effects of that kind of project on Indian people. We think, for instance that just in new diseases we could lose a high percentage of our people. And then, too, there are the social problems -- more alcoholism, prostitution, loss of land -- these sorts of problems -- influx of colonists -- so we oppose this highway -- Somoza's highway -- very much."

That was in 1977. Since that time, the NOTES has received occasional documents from MISURATA.

In December, 1980, a letter was received here informing NOTES of a change of name -- from MISURATA to MISURASATA. The added SA in the name was to reflect the Sandinista movement's involvement in the organization.

According to that letter, the change in the name -- and the new political liaison it implied was not arrived at without some conflict. A Sandinista commander,

Daniel Ortega, the letter said, had imposed the change over the opposition of the organization's leadership.

On February 23, 1981, the NOTES staff received a phone call from a person who had just come back to the United States from Nicaragua. That person informed NOTES that several Miskito leaders -- including Armstrong Wiggins and Steadman Fagit (president of MISURASATA) had been arrested on their way to Managua. Ostensibly, they were on their way there to present the Miskito case at a public press conference. That person also told of a clash between the Sandinista militia and groups of people (including Miskito, Rama and Sumo Indians) which had resulted in loss of life. According to Roberto Vargas, Nicaragua's cultural attache at San Francisco, 8 people were killed: 4 Indians and 4 Nicaraguans.

As of this writing, it is also not known exactly what the fate of the arrested persons has become -- though Mr. Vargas informed a NOTES reporter that most of the men have been released. He also stated that the men had been removed from their leadership capacity in the MISURASATA organization and their roles given over to different persons.

The NOTES reports on this situation with some reservation. The position by Native peoples that they constitute real nations and their continued struggle for international recognition as such -- is a difficult one for nation/states to entertain. That this conflict should come to the point of eruption in recently-liberated Nicaragua, and at this particularly dangerous time for the beleaguered revolution there is unfortunate. Certainly, the counter-revolutionary forces inside

Nicaragua (and in the neighboring countries and North America as well) could find much to manipulate in it.

It is also difficult from this distance to fully ascertain all the forces at work in this situation. The Sandinista official previously mentioned also made reference to Central Intelligence Agency (CIA) operatives at work in the region. We have no reason to believe that this assertion is untrue. It would be most unfortunate for all concerned, however, to simply label the real concerns and aspirations of the native people in that region as counter-revolutionary, though that would seem the most facile analysis.

A more comprehensive (and truthful) analysis for the Sandinista leadership (and for other Marxist-oriented revolutionaries) to undertake might be that all the assertions made have a basis in reality: that the liberation struggle of the Miskito people to survive and thrive as a people (with all the definitions and rights that that implies under international law) is as valid as the revolutionary struggle that the Nicaraguan people waged (are waging) against the forces of Repression and Exploitation.

Nobody wants to play into the hands of the U.S. war machine, least of all in this instance. The movement for the recognition of Native Nations, however, is a real one, concrete. Furthermore, the concepts (Way of Life) arising out of indigenous cultures might prove to be a refreshing addition to be incorporated into the development of progressive thought. It would do honor to a People's Revolution such as the Sandinistas' to contemplate this most significant possibility.

## Idaho: NEZ PERCE CHARGES DISMISSED

By Wendy Eaton

Criminal charges against 33 Nez Perce tribal fishermen and women were dismissed by Magistrate George Reinhardt in Grangeville, Idaho on Monday, March 2. The charges of fishing for Chinook salmon in Rapid River during an emergency closure had been pending since last June when hundreds of tribal members camped at the river and fished with gaff poles in defiance of the state closure. The Nez Perce Treaty of 1855 guaranteed to the tribe the "exclusive right" to fish within the area defined by the Treaty, which included Rapid River near Riggins, Idaho. Defense attorneys for the fishermen, Lew Gurwitz from Boston, Wendy Eaton from New York and Diane Orr from Los Angeles along with tribal attorney Mary Pearson and University of Idaho Law School Professors Neil Franklin and Dennis Colson, filed numerous Motions to Dismiss based on treaty rights, statutory interpretation, religious freedom and other grounds. Pretrial hearings began in October and the state presented 11 witnesses in an attempt to show that the closure was necessary to preserve the salmon run and that it was properly instituted.

At the close of the state's case, the defense argued that cross-examination of the state's witnesses, particularly of Idaho Fish and Game Department Director Jerry Conley, demonstrated that the 80-90% loss of downstream migrant salmon headed for the ocean caused by hydroelectric dams on the Columbia River system and ocean harvesting by sportsmen and commercial fishing are the most serious causes of depletion of the fish resource. The Nez Perce people fish for subsistence and ceremonial needs in a traditional way that has always been a part of their culture and way of life. The state's closure of Rapid River motivated and unified tribal members in defense of their treaty rights, thus leading to the criminal charges.

While dismissing the charges on the grounds that the tribe had not been given an opportunity to meaningfully participate in the decision to close Rapid River, Reinhardt stated that the closure was otherwise valid and that since the reservation created by the

Treaty of 1855 had been diminished by a subsequent treaty, the fishing rights of the Nez Perce at Rapid River are reduced to the same status as the "fishing rights of non-Indians". Reinhardt's faulty reasoning and legally unsupported conclusions about the Nez Perce treaty rights are fortunately not precedent because the dismissals occurred before any defense evidence was presented on these issues, and the state has indicated it will not appeal the decision.

Serious negotiations concerning this year's salmon run (which will begin in late May at Rapid River) between the Idaho Fish and Game Department and the Nez Perce Tribal Executive Committee began the day after the dismissals and the state officials displayed a markedly improved attitude of cooperation and attention to tribal concerns. It is hoped that this spirit of cooperation will continue and that the frightening scene of 30 shotgun-wielding officers marching through the Indian camp enforcing last year's closure at Rapid River will not be repeated this year.

In addition, the state has indicated that it will dismiss the criminal charge of interfering and obstructing an officer in the performance of his duty for which Lew Gurwitz was arrested last June while he was attempting to break up a fight between a state policeman and a Nez Perce fisherman at Rapid River.

The importance and impact of the Nez Perce victory is indicated by comments from staff members of the Columbia River Inter-tribal Fish Commission who say that this struggle has raised the spirit of fishing tribes along the entire length of the Columbia River and energized their attorneys who are involved in similar struggles over treaty fishing rights. The Nez Perce have achieved a rare and significant victory in the constant battle to preserve their treaty rights and maintain their traditional way of life.

For more information, consultation or donations, contact the Nez Perce Tribal Executive Committee or Mary Pearson at P.O. Box 305, Lapwai, Idaho 83540.





# Native Rights In The Reagan Era

## AN INTERVIEW WITH DAN BOMBERRY

(Dan Bomberry is Director of the Tribal Sovereignty Program, a project designed to assist Native Peoples who are working toward land-based self-sufficiency. TSP publishes a bi-monthly newsletter called *NATIVE SELF-SUFFICIENCY*. Individual subscriptions are \$6.00 per year. Institutional and foreign subscriptions are \$15.00 per year. Readers may order *NATIVE SELF-SUFFICIENCY* from the Tribal Sovereignty Program, P.O. Box 10, Forestville, CA 95436 Phone (707) 887-1559.)

**AKWESASNE NOTES:** You are the publisher of the newsletter *Native Self-Sufficiency*. You get to travel around the country quite a lot. A recent headline in that paper was so worded to lead the reader to believe that you are concerned that the changing political atmosphere in the U.S. is reminiscent of the "Termination Era." I wonder if you could tell us what leads you to think that we might be faced with another 1950s-type Termination Era.

**DANIEL BOMBERRY:** One of the ideas behind the newsletter, as you know, is that we've been trying to stake out a controversial position. (We've been) trying to provoke thought, primarily, by taking a position such as we did in that issue — I forget the exact headline but it was something like "The Ugly Prospect of Termination." The idea has been to try and force people into thought even if it's a negative thought. Our hope, of course, is that people are going to agree with what we see coming. I guess we've been publishing now for almost three years. All along we've been kind of saying that we see this conservative swing of the pendulum happening in America — the likelihood of a cutback in federal programs. The tribes are dependent on federal money. What are you going to do? Are you going to wait until there's a real crisis and there's no money left and the programs are all dismantled and all the people who were employed do not have jobs? Whatever services those communities were getting out of those programs — and it's pretty doubtful in a lot of cases whether some communities were getting anything anyway — what are they going to do? That's kind of what we've been trying to get out.

The election of Reagan provided a real convenient verification of what we've been saying for the past few years. We saw it coming. We tried to tell people it was coming, and here it is. The election took place, and he was elected. What it brought to mind then was what happened the last time — and that was in 1952 — when we had a Republican President, a Republican Congress, and also the beginning of a Cold War mentality. There were a lot of questions concerning internal security — there was a Communist lurking under every bed — and at the same time they were rattling sabres at the Russians.

I see with the pendulum swing to the Conservative side that those people are coming out from under their bed sheets — many of them have come directly out of bed sheets — and are now seeing themselves back in positions of power. And I expect that if — and this is hard to see right now but if — the Republicans are not outright rejected during the next two years by the American population that in 1982 you are going to see the capture of the House of Representatives by Republicans and probably Republicans of a very conservative bent. Then, at that point, with the Senate already controlled by Republicans and the House controlled by Republicans and the Presidency controlled by Republicans, I think you are going to see a massive rush to put through all the things that come right out of conservative belief. The arguments, if I remember right, leading back to Arthur Watkins and other folks in the 1950s, was their whole desire to liberate Indians, as they saw it, freeing Indians from Big Government intrusions in their lives, and so forth. Those were the arguments they gave on the surface for their policy. I think that, despite Reagan's response to the Clary Institute queries



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about his views on Indian policy in which he gave all the right answers, (from the viewpoint of Mainstream Indian politicians, anyway, because it was written by Mainstream Indian politicians,) that there's little that he will be able to do as the President if there's a stampede of the House and Senate towards Termination.

I would see it to their (conservative politicians') advantage to push for Termination because the states are often clamoring for it, particularly those states that may be losing revenue because of their inability to tax certain things (although that has been changing as the result of court decisions,) but particularly if there are tribes which are reluctant to develop their resources in the west at the rate that the federal government would like them to. In the conflicts which between the expanding cities of the Southwest (Albuquerque, Phoenix, Tucson,) and the continuing growth of Los Angeles and the impacts of that on water and the ability of tribes to tie up water in the courts for long periods of time. I think if we take those things into consideration, I could see western Congressmen coming together with Southern Congressmen against the few remaining liberals out of the Northeast. Those liberals in the Northeast are pretty burned out over the Maine land claims case and also the pending potential New York cases. There will simply be no support in Congress for Indian affairs. Even in the last session of Congress, there was no political support. The bills that were passed were oversight bills. There was nothing new. The only thing in the last session that was favorable — in the eyes of a lot of people — was that they took an interest in Indian arts and crafts and created some kind of an organization. Big deal.

The goals of the country have been for so long to strip Indian people of all rights, and strip them of the land particularly. As we get into this era of scarcity, the land and the minerals, the waters that run through them are going to be giant pawns in the continuing industrial society of America. The conservative Republicans are tied more strongly to that mentality than are some other people of a more "progressive" bent in this country. I can see that if that happens, if we get this conservative election in 1982 that a whole series of very negative things could be stamped through Congress before there was a chance to react politically. I don't know who our allies would be in a case like that where a Termination push came, and whether, if we marshalled all our allies, we'd have the ability to even slow it down.

**AN:** The scenario you just painted seems to depend on first the continued success by conservative politicians that depends on the Republicans' success in being able to curb the kind of economic contractions that we've

seen over the last couple of years. How do you gauge their chances of success in terms of their manipulation of the economy?

**DB:** I'm not enough of an economist to give a detailed answer to that. My expectation is that business is going to be stimulated to a certain degree. Whether that's going to offset the cutback in government and service jobs and really the biggest market in this country — where the jobs are at — is the small retail kinds of services — I'm not sure (that the Republican economic program) is going to make up (the losses.) If you increase durable manufacturing and go ahead with automation particularly, which is also in the cards — I just read a good article on industrial robots — you can create all the goods that you want. This is the supply side of their economists' theory. You produce more goods and there's less money chasing the goods. The reason that you have inflation is that you have less goods and more money chasing those goods. The Republicans are trying to reverse this and produce a lot of goods so that it equals out, thus decreasing the price of the goods. If you increase the process of manufacturing of goods, which they are trying to do with deregulation, and all the tax incentives they are proposing for corporations, and at the same time go with automation and putting people out of work, (decreasing the work force,) and additionally cutting back on government workers, the equation doesn't balance out. You're going to have more goods and people no money to buy them. It just doesn't work out. If you look at any of the projections that I've seen about where employment is growing, it is not in the manufacturing of durable goods, it is in other industries — service industries. And these are the people who will be affected by this supply-side economy. I think that the prospects are not real good of turning this (inflation) around. I'm not sure that anyone is going to have a real chance of turning it around given the scarcity of resources. That's the question behind everything.

What difference does it make whether you have this economic theory or that one if you're going to run out of oil and all of these economies are based on oil? You can't escape that reality. I'm not certain, however, that the problems which besiege the Republican economic push are going to show up quickly enough to affect the 1982 elections. Perhaps it will. Perhaps it will become very obvious that this kind of policy is not going to work and people will see through this Republican rhetoric. People are, as you suggested, really upset with this recession and inflation at the same time. The price of gasoline, which can be tied right now to Reagan's deregulation, has just taken a jump. Maybe if he



continues to make moves like that people will begin to reject these policies within the next two years.

The other thing that is really evident is that the right wing has done a fine job of organizing. They don't have masses of people, but very few political movements in the last hundred years have really been mass-based movements. I guess the anti-war movement was the closest one I can think of as really having mass rejection of a government policy. But if you have a well-organized political constituency, you can make change. That's kind of the nature of the American political process. The right wing certainly has that. Whether they can hold those people in line if the economic situation doesn't change for the better for those folks is an open question. But if they win those 1982 elections, I think that we're really into trouble, much more so than it seems right now.

AN: It seems fairly clear that the Reagan administration plans to consolidate U.S. interests overseas. A major push is to consolidate control over what they perceive to be their territories in Latin America. What do you think this means to the peoples of Latin America, and specifically to the poorest people, the Indian peoples there? Do you see the Reagan administration having a significant impact on their survival potentials?

DB: I don't know if it's much of a change from the previous administration. I don't think the goals of foreign policy are much different. The difference, I think, involves the speed at which things are going to take place. I think America has been pursuing its own self-interest in the world. I think Republicans are likely to continue that and to say it much more out in the open as we've seen repeatedly in the declarations of the various foreign policy advisers to Reagan in which they've said that "we've got to look out for our own self-interests and we've got to support dictators wherever they are if they're friendly to us." It's a turning away from what Carter was saying publicly but was doing privately. I think we'll see the impact in places like Brazil where industrialization is moving in pretty dramatically. There are now attempts to cut down the rain forest and to destroy the homelands of Indian people throughout the Amazon Basin. Brazil certainly is following the Western industrial mode of development and has invited in not only American corporations but also Japanese corporations. I'm sure that the Reagan foreign policy will encourage countries to pursue that kind of development, and I'm sure that they will be giving foreign aid to countries that are most cooperative with those policies that favor the multinationals' intrusion into their country. I think the multinational corporations will dictate the foreign policy of this administration perhaps more so than in previous administrations. For every policy that increases the multinationals' participation in the development of some of these Third World countries, the survival potential of the Native people decreases correspondingly. It's a real tragedy. Not only the Native people, but also the other parts of the Natural World, are endangered. There are plants and animals which have never even been studied by scientists which have just recently been discovered. They are going to disappear before anything is even known about them, except by the local people. We will see the disappearance of many of the large land animals of Africa as a result of these kinds of policies. The elephants, the giraffes, are going to be extinct except in the zoos of the world. Probably the only place that you'll see the Yanomamo Indians, if this policy continues, will be in the zoos of the world, too. They'll set up some little enclave to keep the few remaining Yanomamos alive in Brazil. They'll be a tourist attraction for people to come and see these remaining Indians.

AN: You've been around the Indian movement for a long time. You saw Indian people rise up against the policies of the Nixon administration on the reservations. As late as 1978, the Longest Walk gave an indication that there was a lot of sentiment in the Indian Country to resist extermination and oppression. Do you think that the Indian people will take all of this laying down? How do you think the Indian people will respond to a new Termination policy? Were all the Indians cowed by the actions of the FBI since 1973 or do you think there's still a little life left in them?

DB: I think that the grass roots Indian people and some of the real die-hard tribes, such as some of the Western Shoshones, the Lakotas, the Six Nations people, Traditional Hopis — mainly the grass roots people who have hung on to the traditional ways — seem to be the groups that can form the nucleus of any resistance movement today. A lot of people can be bought out very easily. There was a resistance, as we are all aware, in the 1950s, to termination. It wasn't very effective. Ultimately it prevailed, but I don't know if that result was because of the Indian's political movement or the changing political climate of the American public which kind of abandoned the policy of Termination. The Termination era didn't end until the 1960s. I think you're going to see resistance, a lot of it. I think you're going to see resistance against tribal governments. I think that's probably the "thing" of the 1980s. You're going to see these dissident groups — they call them dissident groups — on the Navajo Reservation, maybe the Northern Cheyenne, maybe the Colville Reservation and other places in this country. These people are dismayed right now about the direction their tribe is going in cooperating with American domestic and foreign policy interests. Many of these are people who are the most directly affected by those tribal policies of development, and they are the angriest. As we have seen at Burnham, on the Navajo Reservation, and here at Akwesasne, people are willing and able to resist. The thing about this administration is that they're probably a little to the right of Nixon, and may not take it "on the chin" as much as Nixon was willing to take it. I think this really underscores the importance of the international work that has been done in the last five or six years. It's really hard to have an armed resistance if no one is paying attention. If no one is watching America, they could come in, as they could have come in here at Akwesasne, despite the fact that people were armed, and trained, they could have come in with sophisticated armament. They could have come in with tanks or helicopter gunships with rockets and really destroyed the place, killing everyone. That might have happened if they knew that the world wasn't watching them. The people here did such a great job of letting everyone know what was going on to keep an eye on America.



I think the international work is going to pay the dividends within the next few years of being able to keep Italy, France, England, other Northern European countries, some of the countries of the Middle East, to keep a focus on America to prevent a bloodshed. I have a real fear that we are going to see some things like that happen in the country. We're going to see tribes divided up against tribes in armed conflict over development policy. People are just not going to take it. Those Navajos who are going to be moved on this relocation in the Hopi-Navajo dispute are pretty adamant people.

AN: The biggest story of Indian people during this decade, and probably for several decades, has been the story of the removal of some 7,000 people out of the so-called Joint Use Area. A startling aspect of that story has been the absence of a national Indian recognition of and solidarity with the people who are victims of that tragedy. I think that there are fewer than a dozen Indian newspapers that have even mentioned that there is a removal going on and if a few years ago there were five or six national Indian newspapers, today there is only one. Both of those events suggest to me that national Indian politics have grown weaker. I also sense that the international movement among Indian people is, at the same time growing stronger, and it seems that there is a lot of activity at the local or community level. Is that the way you see things happening?

DB: Yeah. I would say that's true. You know our program focuses totally on local organizing efforts. That's exactly what I see happening. The issues and the struggle is not focused on national policy. It has gotten down to the exact grass roots level of, What is this

particular community going to do to insure its continuing survival? And whether that means fighting the United States or the State of Arizona or the tribal government, those people seem to be willing to do that, to take stands. These stands range from petitions and voting to picking up a weapon in some cases, as we've seen. We've seen the violence which took place among the Chippewa people over corrupt administrations in Minnesota and other places.

AN: You're the publisher and editor of a kind of Indian newspaper. It's a new kind of Indian newspaper in that you publish materials that will enable people to learn about how they can help themselves. *Self-Sufficiency* newsletter focuses on giving people the tools that they can use to resist some of the personal effects of colonialism. It talks about ways people can learn to heat their home and raise food and you've even described the process by which communities develop local markets and a consciousness about the health effects of food. How do you see that kind of information in the light of the kind of things we've been talking about in this interview?

DB: As we've described it before, and I think you have too, as a way out. We are seeking to point the way that you can pursue, that will allow, if it is carried to its ultimate conclusion, the communities to maintain their integrity — to provide for the needs of their own people in their community. The self-sufficiency movement is so new right now — I would date it to its acceptance at the Longest Walk. We were writing about it, I mean you were writing about it, prior to that in *Akwesasne Notes*. The most memorable article is the one you wrote on — what was it called, "The Sovereignty That is Sought Can Be Real." That was like the beginnings of that idea. The popular acceptance of it happened at the Longest Walk, at which there was a real attempt to bring the politics of self-sufficiency to the activist community in the Indian world. When they went back home, they began to really work on it. I mean, it was rhetoric during the Longest Walk. When they went back home you saw the Lincoln brothers up at Round Valley start to talk about building earth homes and growing gardens or revitalizing their grandfather's farm that was there on the reservation. And we saw people looking at literally thousands of acres of land all around them that was being unused, just laying there. You saw the Oneida people in Wisconsin develop their Iroquois Farms. You saw down in the Cameron section of the Navajo Reservation people getting into arid agriculture in a fairly sophisticated way. The movement, I think, is happening, people are moving in that direction, but it's new, it's embryonic yet. Our idea is to try and stimulate that movement through our publications, and it ties in with the kind of localized politics which is taking place. Many of the tribes right now are not into this idea at all, and they are still pursuing industrialization and so forth. But the localized communities are, and you can see solar happening all over the place and in many cases it has nothing to do with what the tribe has done, absolutely nothing. People themselves have done it or a local community has gotten together to do it. Very few tribes have embraced appropriate technology in any kind of wholistic fashion.

The hard part for me to think through, and maybe a lot of other people are having this difficulty too, is how do we resist, then, the probable problems with Termination that are coming up, and what that would mean to the land base of the people. And how, then, does the self-sufficiency tie into that? I see it (self-sufficiency) as a long-term solution to a lot of our problems — returning to our community sense of self-reliance, not so much our individual sense of self-reliance, but our community sense. But without a land base, how can we do that? It's real hard to be self-reliant in the cities, although people in the South Bronx and other parts of the world have attempted to develop that kind of mentality. If we lose the land, it's going to be hard to do anything like that, which again correlates with the importance of the international work that is taking place.





# Oren Lyons Speaks

I think a little clarity on the definitions of spiritualism as we see it will help people to understand a little bit as we go along. First of all, it's been our experience that organized religion is not necessarily spiritual and as a matter of fact it seems to have been rule that it has not been spiritual.

The spiritual aspect has always been the basis of the Native People's government. The primary force and very strong force has been the spiritual aspect. The Earth is the source of Life. We cannot function without the Earth, without the resources of the Earth. She is indeed the Mother. And one of the methods by which Native People have always made reference to the natural world is to personify them and call them our Mother. Thundering voices is the Grandfather which brings the thunder and lightning, or the rain and the fresh water. Grandmother is the moon who looks out for the female elements in the Earth's cycle. And the elder brother the sun. Without any of these we wouldn't be here. Now that's a reality. Living with the natural world in that sense in the old times there came a perspective that placed the human beings in proper order.

The Human being is not superior. The human being is probably with his intellect carries a tremendous amount of responsibility. That is all you have — you have more responsibility. One of the things that you are supposed to do, we're told, is to look out for the welfare of the natural world. The natural world lives in a state of grace — they absolutely live in a state of grace. All the animals, all the birds, and all the trees, the plants and everything is doing precisely what the Creator put them here to do. And they can't do anything wrong. But we have options, human beings have options. And in those options there is what you would call an existentialist approach — you can direct what is going to happen. You can — by your actions — direct what is going to happen. That is a great deal of responsibility, a tremendous amount of responsibility which human beings possess. It's our perception that the problems that are arising in the world today are caused by human beings.

There is always natural law. The natural law is the all governing law. It is the law that everyone is ruled by and all things in the creation. It is an absolute law. It's a law that you cannot violate. It's a law that has retribute powers. It's a law that has no mercy. It's a law that will always prevail. It's a law that unless you recognize it and deal with it in the beginning, it will destroy you. It's absolute — there is no mercy to it. Our people were fortunate to live on this great land here, right where you are sitting now — Mohawk country, Narragansett country, Wampanogs, Passamaquoddy, Penobscot, Massachusetts — all lived around here and to the west of us, I can go on and on with the names of the people who lived here for a long time. They all understood this natural law, sitting in one place for a long time. You learn by being in one place for a long time.

And so it was that this knowledge was developed. They made laws. The human beings made laws, but their laws were supported and in direct relation to the natural law. Therefore, it created a long-term existence for the human beings, because they recognized the natural law was going to prevail.

Now with the development of the western world a law came over with our white brothers who came across the water. They came at various times and when they came across the waters they brought another conception, another perception, another process of law. And this law, we observed had nothing to do with natural law — this was strictly man-made. And as such it became clear that it would eventually flounder because it's basic principles were not strong enough. It did not recognize the natural law. Now what we are experiencing after a short period of two-hundred years is that this particular perception of law is now experiencing some severe problems. It is not only experiencing some severe problems, but it has caused problems internationally. This particular brand of law is not the only law that causes problems and there are other laws that cause problems. This is our perception and you may disagree, but this is the way we see it. Any law that does not relate to the natural law will fail.

And so, when we were given the First Message, (and who knows how long ago that was) that was the message of how we would live together, how to exist with our brothers, and our brothers and our family, the family that surrounds us. The family of trees, the family of fish, the family of the four-footed, the family that flies, our own families — these families all exist and they all have their own process and they all have their own ways.

In the beginning we (Haudenosaune) were given a law, we were given a rule and a code by which to live and to understand this process. We are, after all, only human beings gathered here doing the best we can and with what we have, and doing what the Creator had wanted us to do, which was to assemble and to put our minds together, to think and to become of one mind. The power of people is that when they become of one mind and one direction there is a tremendous force, a tremendous strength. And that focusing of strength and force is what will make change. So we have the power. The power has been given to us inherently, and not only do we have the power, but we have the process.

The circle is probably the symbol of all native people, not only here but almost all indigenous people no matter where they come from, whether they come from the cold country to the north or from Africa or anywhere in the world. The symbol they all recognize is the circle. The circle is the basic symbol. The circle that is bisected in four ways by the four directions. That is not only national, it is international, it is universal. That (symbol) would be recognized universally. The simplicity of the circle involves the continuity of life. It's the spring, summer, fall, winter. It's the birth, the youth, the adulthood, the old-age and the death. It's the cycle of the rain as it falls on the trees and the trees grow, and the trees give oxygen, and the oxygen goes back up and becomes rain again. The trees grow and they fall and they sink back into the earth and they replenish the earth and they grow again. It's the symbol of the human body that grows and falls to the earth and also joins our Mother that things grow again.

Ceremonies are designed to acknowledge those powers. A reverence and an understanding and basic respect for life. All life is equal. You are neither no more nor no less. In our perception, the fact that you are here is the basis of your reality, the fact that the Creator put you here. You are equal to all life in the world. And so the tree which grows outside — the Creator put that there. You can see it. It demands respect. It has equality. And from us, of course, it demands more than that. It demands protection. So these perceptions or understandings that we have are the basis for a government of which I will tell you about.



Now, I am not doing anything I shouldn't do by telling you about our government because we've been telling people about it for a long time. When the English came word was sent back to the King of England and this word which was sent back to the King of England said that you had better beware, because on this continent there exists a form of government that advocates the people and that representation of people in government is very detrimental to the process of royalty. And be warned that the colonists are embracing it because it gives freedom and understands respect and equality. The basis for the government of the United States, which they like to proclaim comes from the democracy they evolved, was derived from our people's government. What they saw here when they looked at the Indian people was a free people. It was like seeing a bear or a wolf. You know you really couldn't control that bear or wolf.

In fact, that is how they looked at Native People. They said, "Well, they're animals." They did not know what a great example that is, what a great compliment it is to give them, because animals do live in a state of grace. You know, you hear the terminology, "he's an animal" but they use it in a derogatory sense, really.





**"THERE IS ALWAYS NATURAL LAW. THE NATURAL LAW IS THE ALL-GOVERNING LAW. IT IS THE LAW THAT EVERYONE IS RULED BY AND ALL THINGS IN THE CREATION. IT IS AN ABSOLUTE LAW. IT IS A LAW THAT YOU CAN NOT VIOLATE. IT IS A LAW THAT HAS RETRIBUTE POWERS. IT IS A LAW THAT HAS NO MERCY. IT IS A LAW THAT WILL ALWAYS PREVAIL. IT IS A LAW THAT UNLESS YOU RECOGNIZE IT AND DEAL WITH IT IN THE BEGINNING, IT WILL DESTROY YOU"**

You know, the "Wild West" didn't get wild until the White people got here. And did they get wild. There's no such word as wild in the Indian language; they didn't have a word for wild, the only word we have is free.

After our First Message — how to live together — our people forgot the message and they fought one another and things got really bad. There was a war of attrition — terrible fighting. We were fortunate enough to receive a second message. The second messenger came and brought the Great Law. The basis of the Great Law is peace. Peace. And peace is a dynamic force and peace takes a lot of dynamics. Peace takes a lot of effort. It is harder to keep the peace than to have war and fight. It is very easy to fight. It's harder, it's almost as if that element of peace has as its essence a condition of power in which just by not doing something you lose ground. It's easy to sleep instead of work. It isn't good enough to do everything that is easy, in order to keep a balance, it takes a lot of effort, it takes everything. It takes effort to get up and open your eyes and get up and do what you have to do.

So now we come to the circle. The circle is the family. The heart of the family is the mother because that's where the light comes from. Without the children you have no future. They are the essence of the future. They come from the female. Therefore, the female is extremely special and requires that people, particularly the male element, protect that life. And if you go out and observe how the bears, the wolves, and they eagles live you will see this is what they do. We learn from them. How to live together. How to raise a family. How to protect the family. The heart of our confederacy is the family. And the heart of the family is the mother. She's protected. That's the first circle.

The next circle, or the enlargement of the circle is the extended family. The responsibility of all human beings, of the men to be uncles to all children, of the women to be aunts to all children, whatever color they are, they are under your protection at that particular age and you are responsible for each and every child in this earth. Color has no definition. You have responsibility. In the Indian language the aunt means "other mother." So the family is the core.

Then you have another circle. That circle is called the Clan. We have clans: a Wolf Clan, The Eel Clan, the Bear Clan, Turtle Clan, Snipe, Deer, Beaver, Heron. These Clans are large extended families. And so the basis of our government is a representation of that family in council, who is the chief. He's chosen from the Clan by the Clan Mother. Clan Mother makes the initial choice. For the leadership and responsibility in Council it is the woman who makes the choice. It is her choice and her choice alone. No help from anyone. It's her responsibility. She is looking toward continuation of the Clan, therefore, her perceptions are going to be towards a man who is responsible to the Clan. She won't choose someone who is power hungry. She won't choose someone who is going to be negative towards the family. She is going to look about and choose someone who is going to be responsible to the people. And this person has no idea that this is what is going to happen to him. He's just walking around, cutting wood or going downtown or whatever he's doing. All of a sudden she taps him on the shoulder and says "Do you want to be a Chief?" And he just laughs and says, "Well, I don't think so." Basic reaction has always been no. What she'll say is "Don't answer, 'cause you only have one answer. If you answer (no) once, you'll never be asked again. Don't answer, think about it."

So, now we're coming to how do you define the leadership, who's going to make decisions for the people. This is what we are talking about. This is the key and the source of the community. This is what you're talking about. What you are trying to learn. How it evolved. The Clan Mother makes the choice, a woman. It's a tempered choice. Only one, not two. There's not going to be a

contest between two people, only one. So then she gathers her Clan together and says, "I've made a choice and this is who my choice is." Because often this choice a surprise to everybody, they'll have to decide. The Clan will say alright, yes, we will respect your decision, we'll go along. So now the chiefs gather and the man is presented, not there personally, but his name is presented. She has acquired his consent at this point. It's all vountary — all you have to do is agree. So she comes up and says this is the choice. So now that she has discussed this, she says, "Well, now is this man going to be able to work with us. He's going to sit with us for the rest of his life. Does he have the kind of personality that will be able to deal with us. Are we agreeable that this person is going to sit with us. What do we think." And they have the right to kill that option right there. The Chiefs can say no. In which case, she must go back and begin the process again and bring forth another candidate.

There are some prerequisites for being a chief. One is that you can never have killed anybody. No blood on your hands, because this is a peace position. Royaner, they call it — "The Good Mind," The Peacemakers. That's what Chief means. The Peacemakers. So you can't have killed anybody. You must belong to the Longhouse. Your first duty as Chief is to see that the ceremonies are carried out. That's your first duty as a Chief. The second duty is to sit in Council for the welfare of your people. Without the spiritual center of the government, you have no government, therefore you make sure that center remains there. The next thing is you can never have committed a crime against a woman or a child. Now those are simple, but I think those qualifications would eliminate a lot of leadership in this country.

What I am talking about is how you arrive at somebody who is going to make decisions for the people. These are the checks and balances. So the Chiefs will agree — they say, "Well, alright, we agree." So now the motion is set in to begin the real process. So now we get the wampum and present it to the Chief and the runners will now go to the opposite house and they will begin the process and installation for what they call the raising of a Chief. The condolence for the one that's gone and the raising of the new one. That's handled by the opposite house. The Haudenosaunee is divided into two houses, the elder brother and the young brother. The Cayuga, The Oneidas and the Tuscaroras are the younger brothers. The Mohawk, the Senecas and the Onondagas are the elder brothers. And so if a Chief is being raised by the Mohawk, or the Onondaga, or the Seneca, then the opposite house will do all the work. They'll set the date, they'll set the place. And they'll come back to you and say "This is the time and this is the place." And so now the runners will go out to all of the Six Nations and they carry the wampum and they say this is the time and this is the place. Everyone gathers, cause we're going to raise a Chief. Thus begins the process that is a thousand years old.

They meet at the edge of the woods, so they say, at the first fire they speak words. And they move in further at the second fire and they speak words. And then, they sing the song that takes them into the Longhouse and they sit and the roll call is given of the fifty original Chiefs. And we hear the history for two or three hours. And then the laws, the condolences, the wampum, the responsibilities, from the younger brother to the elders. After all of this is received, the wampum and everything, it's returned one string at a time and repeated another two or three hours. And you hear the laws, you hear them twice.

Now, finally they say bring forth the candidate. For the first time the people will see him. They are not told who it is so there won't be any previous sniping. So suddenly there he is and everybody says, "That's going to be the chief?" Now the younger brothers house will discuss, all of those Chiefs will discuss, is he now going

to sit with us. He is going to have to sit with us for the rest of his life. Do we agree. And he is judged by the rest at that point. And they can stop him. Then their agreement comes back to our side of the house, now the two nations that did not know this is, they will also judge. So now they must agree, all the Chiefs of the Confederacy. (And that's why when something happens to the Mohawk Chiefs up there (upstate), that's why the other Chiefs back him, because they're the ones who put him there.) Alright, they agree.

Now he is left in the center, by himself. Everyone moves away from him and the speaker who speaks from the other side of the house whose job is to take care of all of that. He says, "if anyone here knows in the assembly the reason why this man should not be a Chief, now you are bound to speak. Stand up and say so to his face. At this time if you know a reason why, then it is your duty to speak up because he's going to represent the people." And so he is judged again by all of the people.

You will note, there's no politics. There's no competition. That's very different from how you acquire your leadership. And the person can never speak in his own defense. And these Clan mothers can never speak in his own defense. That is handled by the speaker from the other house. This is how we arrive at leadership. So then he's installed. He acquires the name of that original Chief a thousand years ago, he takes that office and takes that responsibility.

And what they tell him is we now put the responsibility for all life in your hands. All life, that's not just human beings, that's all life is now in your hands. And then they tell the people. This is probably the most dangerous position to hold in the world, because of the many ways that a person can go wrong. And so they tell the people, "Don't steer him wrong," — don't try to use your influence and make him do something wrong because that's just as wrong as his succumbing to that. And then they tell the person of the dangerous situation and the many opportunities to fail.

So now, in talking about how to reach these people, how do you come to the conclusion of who is going to speak for you, who is going to represent you and what checks and balances do you have to see that that person is going to represent you. And of course, there is not any pay involved. There's no pay, it's all volunteer. Same today as it was then. So that's why we like to put a person in there who has some depth to him and some age, because the responsibility is tremendous.

And we have attrition. There's recall. The Clan mother who put him up there can take him out. He is given three warnings. First warning is presented by the women. The Clan mother comes to him with a woman as a witness and she tells him to correct his way. If he doesn't the next time she comes, she comes with a Chief or a sub-Chief depending upon which one it is. He's told again. Correct your ways. The third time she comes with a man and he will do what he has to do which is remove the wampum and the "horns" of office. When the man comes he rips the horns from the head, the "blood that flows down covers that face forever." No one knows who you are after that. No one listens to what you have to say. So that is a difficult thing. And if the person does not fulfill his duty and continues to live, the Clan will have to wait until he dies. So great care must be taken or you won't be represented in Council.

A lot of checks and balances. Now what I've just told you is how we do it. Whether you can operate under the same principles, I don't know. The U.S. took it, (Benjamin Franklin thought it was great) but without the religion. Engels and Marx thought it was great, but without the religion. But it is interesting to note that the two major powers of today have their roots in the Haudenosaunee.

The clans decide who sits on what side. Those clans are interchangeable. A clan can borrow a Chief from



another clan to sit on the same side. They can borrow from any of the three nations to sit on that side. There's a lot of options, she's (Clan Mother) not stuck with just her clan, it's quite flexible, but of course it has to be agreed upon by the people. If they don't agree with that well it won't work. That's just to give you a broader perception of just how wide that option is. So when they sit on these sides of the fire they have one spokesman, and that speaker reflects the complete unanimity of thought on that side of the fire. When he speaks it is because they have sat in council and they all agreed to the statement. They do this by discussion — on both sides. They send a matter across the fire to the Elder Brother, they take it, they discuss it and they come up with a position. This position is presented back at the fire. If it's agreeable and it works then they will send it to the firekeepers (Onondagas). When it gets over there, then they'll speak. And if they agree, well, let's say they don't agree on a point, then it has to come all the way back to where it was, be rediscussed and agreed upon and come back again.

If they agree at this point, then it is passed. The

speaker on that side will stand and he will repeat the whole process of what they said, when it went over here and then it came back, then it got fixed again and then it came back over here and then it came over here. It's passed and then it becomes a law. But it's done by unanimous agreement and there's no voting. If they can't agree, then they say let's put it under the pillow and sleep on it. That's one way of avoiding the conflict. And as I heard, a great conflict that came up in the Longhouse one time, between the Confederacy, — the Six Nations — a chief stood up and said, "Don't forget," he said, "There is no problem that is worth the splitting of the Confederacy. If we are going to argue on this problem, then cast it out." That's one way to deal with it. If you need more, they assign people to go out and do things and bring in other things and pass it the next time.

So this is the process — so it avoids one person — one person has no power really — he can be very persuasive and he can ask to speak and say what he thinks when they can't agree and if he can't agree three times then we'll leave it up to the firekeepers for the final decision.

What happens if this person cannot agree and it goes on to one, two, three meetings, he will just absent himself to the Council.

Anything that is passed in Council must be supported by all the people. So you have unanimous consent and that decision is strong.

We have to be very tolerant of individual perceptions, there's only one judge.

Now this is how we exist, I have no ideas from here. I'm here just to say how it is, to pass it on and it was done before. What you make of it, what you think of it, is up to you.

Now our Nations in this country have deteriorated too. We're fighting to hang onto these things, and we have just as many problems, and probably a lot more, than you have. Because we have a whole government — the dominating government in this country — which does not like the way we raise leadership. And which does not like the fact that we are existing at this particular time. We represent an alternative approach that doesn't coincide with capitalism.

## IN THE INDIAN COUNTRY 1

That morning we had a press conference. It was in Washington, D.C., in front of the White House.

A few young men from one of the survival schools out west had a drum out. They were singing the AIM song.

The press was interested. There were two different TV crews and several reporters and photographers.

This happened during the time of the Longest Walk, a few days before the Walk arrived in D.C. It is a little story about a man whom I won't name, an example of the power of sincerity in leadership.

The man was big and portly and he had long hair and he was supposed to be the spokesman that day for the Walk. A few of us had worked late the previous night preparing the press releases and calling the news media. This was the first big conference for the Walk and we wanted it to go right.

It didn't. Our spokesman was late.

This went on for a while. We waited. The press people kept asking when we would start. The pounding of the drum had gathered a large crowd and the cameramen sized up their shots, the White House in the background.

They, too, waited. We tried to make small talk.

Finally, our spokesman arrived, an hour late. He got out of the car and he walked hurriedly. He called for the reporters to come together. He did this in a commanding kind of way, haughtily and hard-faced, the way men get when they are ill-at-ease. Then he spoke abruptly, making no reference to the prepared statement and in a tone that was combative, almost insulting.

The press people backed off. Some reporters left outright. Others asked hostile questions that our spokesman had difficulty answering. The result was no TV coverage, only a small article in the back pages of the Post and a group of reporters who would be reluctant to come out again.

It happens in the course of a long struggle, such as the one the Indian Peoples are currently engaged in, that many little and big things will happen to disappoint you — many things will happen that weaken you for a time, make you wonder if it is worth it to continue in the struggle at all.

Back in the office people shrugged it off and went back to work—but the effect was a scattered, unfocused level of activity all day, a wasted day.

The thing of the press conference was a small incident—a press conference is only one of the many different kinds of activities a people in struggle must learn to organize efficiently—yet it was indicative of the



ways energies are often drained from those who have done work by those who would call themselves leaders.

There are leaders who are not leaders. There are leaders who have become famous for being in the right place at the right time or because they could shout the loudest when that was needed, or because they have proven their ability to be tough—some of these men (and some women) have no real perception of the depth of feeling they must have for their people. It is a pity—and the single most destructive thing inside the Movement.

Some of this is the fault of the media, which has been able to catapult some people into instant stardom. This is often compounded by the thousands of guru-seekers in the American scene, whose mindless adulation is hard to focus properly and which has a high potential for corruption. A lot of it has to do with the inability to control arrogance, ego. One wondered sometimes: Are we just struggling and working to build the extension of power of a few individuals? Or, are we truly working to protect our Mother the Earth. Are we truly working to recapture the meaning of humanity for our children?

There is more.

During those days on the Walk we were all sleeping in a large house offered to us by some friends. That night our spokesman slept there also. He slept on the couch in the living room and he was up early the next morning. It was a fine morning, a little humid in the manner of Washington, D.C. but with a clear, strong sun shining through.

The spokesman knocked on several doors and entered some rooms to shake people.

"Let's get up early," he said. "I want to pray with my Pipe."

People straggled out of bed and soon we were all downstairs in a circle. The spokesman was there, a big man, the Pipe cradled in his hands like a living form. With his thumb he was pressing the tobacco into the bowl.

Now he smoked and prayed. It was a simple prayer,

calling for truth and strength and for the safekeeping of all the Walkers.

He passed the Pipe, and as it travelled in a circle each one smoked and prayed, some silently, some out loud and there is a good feeling in that Pipe Circle always, your thoughts clearing and everyone's heart at its best.

When the Pipe returned to him, the spokesman emptied the bowl carefully and then held the Pipe.

Now he talked again. He talked real soft for a man his size and then too he looked smaller.

First, he thanked everybody for the job they were doing, how necessary it was. Then he talked about the Pipe, that he was new to its way, that there was much he didn't understand, but in its presence he felt always the need to speak the truth.

Then he talked about himself, where he was from, his involvement with the Longest Walk, with political prisoners, with survival schools. He talked about Indian children in the city, how tough they were, how sometimes he met them and they were even incapable of crying.

He talked like that for a while. It was good. There was a good feeling amongst us.

Then he talked about the previous day, the press conference. "I blew it," he said. "I was unprepared. When I needed my words, they just wouldn't come. Because I wasn't being real inside. Those of you that worked on it—I hope that we can do it again soon. I just wanted to say that."

It was very strong. There was no need for more. We had breakfast and then we went to work. It was an office full of young people, charged with the responsibility of preparing the way for the Longest Walk. I don't know if it had anything to do with the morning but there was a major breakthrough that day and all of a sudden, after weeks of negotiation, all the space we needed became available to us.





# Helsinki Watch Report Ignores Native Rights



Representatives of the Big Mountain Navajo Nation testifying before the Fourth Russell Tribunal in November, 1980. The Big Mountain Navajo situation—involving the forced relocation of 6,000 traditional people—is only one of the many grave situations facing Native Peoples in North America—ignored by human rights groups.

By Petra T. Shattuck  
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That "the sense of identity fostered by past discrimination has in many ways become a source of strength in Indians today," is the comforting and reassuring conclusion of the *A Helsinki Record: Native American Right* published last fall by Helsinki Watch, the high-powered New York watchdog committee set up to monitor the state of human rights in America and the world. To American Indians who might otherwise have been inclined to regard the pervasive discrimination of the last two centuries not as a source of strength but as the cause of their continuing political powerlessness, their lack of legal protection and their pervasive poverty, the Report's conclusion should therefore be good — albeit surprising — news. If the undoubtedly well-meaning and well-motivated notables of the academic, foundation, law and business worlds who make up the human rights committee find that past discrimination helps resist future discrimination, then the dark cloud of Indian history has suddenly acquired a silver lining.

Even more startling than the report's conclusion, however, is its total silence on the violation of Indian human rights in America today. There is no mention of the human rights complaints filed only last March before the United Nations Commission on Human Rights in which the Western Shoshones, the Lakota (Sioux), the Haudeonosaunee (Six Nations Confederacy) and the Traditional Seminole and Hopi Peoples charge the United States with persistent and continuing violations of their land rights and massive interference with their rights of tribal self-government. There is no mention of recent Supreme Court decisions, like *Tee-Hit-Ton* and *Oliphant*, which have further undermined Indian property rights and tribal autonomy. There is no mention of Indian fears about last year's proposal by the U. S. Air Force to build the MX missile system on land in Nevada which the Western Shoshone still claim to be theirs or the designation of land on or near Indian reservations as nuclear waste disposal sites.

There is no mention of the destruction of Navajo people, land and water through the careless dumping of millions of tons of highly radioactive uranium tailings by American energy corporations. There is no mention of the current bitter political and legal disputes over water rights in the West which threaten to take that vital resource of Indian livelihood away from them forever. There is no mention of the well-publicized land claims of eastern Indian nations and the harsh political backlash they have engendered. There is no mention of the grievances Native Americans presented to the Fourth International Russell Tribunal in Rotterdam last year.

There is, in short, no effort to discuss the central problems facing the survival of Indian nations in America today and to discuss them in terms of the loudly proclaimed American commitment to the protection of the fundamental human rights of all people — at home as well as abroad. Instead the historical focus of the report leaves readers with the familiar and not all too unsettling perspective that what once happened to American Indians was bad, but it is past history. Regrettable history, to be sure, but history nevertheless.

To Native Americans and human rights advocates who may have expected that Helsinki Watch as a private and influential citizens' lobby for human rights would subject America's own compliance with the human rights provisions of the Helsinki Accords to searching scrutiny and critical evaluation, the failure of the Helsinki Watch Native American Rights report to address itself to current and ongoing violations of Indian human rights is disappointing as well as puzzling. For while the examination of U. S. adherence to human rights standards with respect to American Indians promised to be a welcome exception to the general and routine disregard of Indian problems in this country, the publication of a report which covers up current U. S. violations of Indian human rights by simply not discussing them raises the question why time, money, and effort was spent on such a meaningless exercise.

With a few exceptions the Helsinki Watch examination of Indian human rights issues, prepared by Dr. Clara Sue Kidwell, confines itself to summarizing the history of Indian-white relations in America. English discrimination and ethnocentrism, the reader learns, prepared the ground for later policies which treated the Indian as inferior and incompetent and confronted tribes

periodically with the Hobson's choice of assimilation or extinction. Invariably, what was done to American Indian nations in the name of saving or reforming them served to benefit non-Indian society.

As history Kidwell's report is so fragmentary and superficial that it cannot even serve well the purpose of explaining adequately the historical dimension of the Indian human rights problems today. Both the incorrectness of some of the facts and the omission of crucial factors in the discussion of even those U. S. policies which the author chose to include in her report obstruct rather than build a fuller understanding of the causes of the Indians' plight. Kidwell's discussion of the government's allotment policy of the last 19th century is a case in point. Under the allotment policy, designed to break up tribal communities by forcing members of the tribe to become individual landowners and farmers, 160-acre plots were assigned not to each man, woman and child — as Kidwell asserts — but only to the head of

the family — a not insignificant difference in light of the subsequent judgments about the Indians' inability and incompetence to support themselves. More important, the policy of limiting the allocation of communally owned tribal lands to one 160-acre plot for each head of family created — not entirely unintentionally — a vast surplus of unallotted tribal lands which were happily and conveniently opened to white settlement. While Kidwell mentions that Indian tribes lost nearly 100 million acres of their ancestral lands through these much heralded reforms, she ascribes the outcome to the not surprising inability of Indians to adapt to farming overnight without pointing out that even before a single newly-made Indian farmer had failed, millions of acres had, by policy intent, been taken from the tribes and turned over to whites.

The report does not discuss those legal developments at the turn of the last century which legitimized the 'unrestricted' power of Congress to expropriate Indian land at will and exempted even the most arbitrary governmental action toward Indian nations from judicial review. The consequence of decisions like that reached in *Lone Wolf*, which Judge Philip Nichols, Jr. of the Court of Claims recently referred to as "the Indian's Dred Scott" case, is that Indian tribes are today still barred from full redress against the U. S. before American courts — a fact which leaves them with no alternative but to seek protection of their fundamental human rights in international forums.

As a statement of Indian culture, of what it is that American Indians try to preserve, of what explains their determined efforts to resist assimilation, the Helsinki Watch report contributes little. At a time when traditional Indian people speak movingly of their "spiritual community" and describe their traditional culture as a "warm, deep and lasting communal bond among all things in nature" the Helsinki Watch report defines what is distinct about American Indians either in merely derivative or purely racial terms: Indians are separate and distinct, because of their unique relationship with the federal government, because of their shared consciousness of repression, and because they do, after all, have specific racial characteristics "such as blood type, color and texture of hair, skin color, etc." There is, in this definition, no hint of the autonomous strength of the spiritual and material communalism of tribes, the force of their ancient and still-living religions, their abiding respect for nature and their unwavering commitment to the traditions of their ancestors and to the future of their children's children. All these are traditions in no way shaped in response to American policy — they precede it by centuries.

Perpetuating the common stereotype of the Indian as the nomadic hunter, the report does not mention the

Helsinki watch cont' next page



## HELSINKI WATCH REPORT continued

1000 year old settlements of the Pueblos of the Southwest, who have engaged in farming for centuries. Once again the different Indian languages spoken by different Indian peoples are described as "mutually unintelligible" — presumably not as opposed to the mutually intelligible languages of the different conquering European nations! When have German, French, or Italian been last referred to as "mutually unintelligible languages?"

Yet more important than its historical superficiality and its at times surprising insensitivity is the report's failure to focus on what is happening to American Indians in America today and to assess those U. S. policies, which threaten the physical and cultural survival of Indian tribes, against the human rights standards of the Helsinki Accords and other international conventions which the Carter administration had pledged to support. Most devastating in this respect — and central to Indian human rights complaints — is the U. S. policy toward Indian lands. It is today still valid law that lands belonging to Indian tribes or nations may be expropriated by the U. S. government at will. Where Indian land ownership is based on aboriginal title and not on treaties it can be taken without any compensation whatsoever. But even where treaties exist, Congress can exercise its plenary and unreviewable power to abrogate valid treaty guarantees and to seize Indian land on any terms it deems desirable — without due process, without needing it for a public purpose, without Indian consent. Congress, as the Indian human rights complaint to the U. N. puts it "may take Indian land for any reason or for no reason." Indian people themselves have neither the legal nor political power to defend themselves against such arbitrary action, which may destroy their communities and their way of life.

Since the lack of legal protection given Indian land interests is in sharp contrast to the firm protections afforded non-Indian landowners, Indians consider the legal doctrines negating their property rights as an example of the kind of racial discrimination that has been universally condemned in international law and in several human rights treaties, among them the Helsinki

Accords. The support the Indians have received in Western European countries and at the Geneva U.N. Conference of Non Governmental Organizations indicates that they are not alone in regarding continued U. S. adherence to legal and political principles rooted in the colonial practices of the last century, as inconsistent with its public posture as protector of the fundamental human rights of all persons and peoples.

Any serious evaluation of the state of Indian human rights in America today must ask why the government's law and policy toward Indian tribes continue to be based on those principles and premises of the past which we have come to regard as wrong — philosophically and morally wrong — with respect to the treatment of other American groups and minorities. For while it is hardly surprising that Indians — like Blacks and Women — were treated as inferior and denied full legal protections a century ago, it is stunning that racist and colonialist principles continue to be accepted as valid premises for U. S. Indian policy today. It is as if U. S. civil rights policy today were still governed by the maxims of "separate but equal." Again and again the U. S. — the Congress, the Executive and the Courts — have refused to review and revise Indian policy on the grounds that it is based on long and well-established principles of law — although it is precisely those principles which are totally untenable in the light of America's professed commitment to human rights as well as its own Constitution.

The Supreme Court decision establishing the novel principle that Indian land based "only" on aboriginal title could be taken by the U. S. without compensation was made, not a hundred years ago, but in 1955. The argument that Indians are incapable of deciding for themselves what is in their own best interest was submitted by the Solicitor General of the United States to the Supreme Court not at the turn of the century, but last year. The plan to put MX missiles on the Shoshones' ancestral lands is under consideration now. Laws to extinguish Indian land claims *ex post facto* were introduced in Congress in the last decade by liberals like Senator Muskie. The statement of an Arizona official that Indian water rights could be satisfied by substituting effluence produced from sewage treatment for water allocations from the Central Arizona Project

was made a few weeks ago. (At least Marie Antoinette wanted to let the lesser people of her domain eat cake!)

It is difficult to understand why the Helsinki Watch Report does not in any way address itself to the deep seated and pressing Indian human rights concerns of today. Unless the real focus of the Committee has always been only the monitoring of human rights compliance abroad, and particularly in the Soviet Union, and unless the intention of also evaluating U.S. compliance was no more than a public relations gesture, the reasons for the superficiality and incompleteness of the report are simply not clear. Plain ignorance of the pressing problems faced by American Indians today is an unlikely explanation. Helsinki Watch had at its disposal extensive and well-documented statements solicited by its staff from the Indian Law Resource Center as well as the Washington Helsinki Watch Committee for the United States, a separate human rights organization. The Indian statement on the forced or non-consensual extinguishment of their land rights was printed and widely circulated as an official U. N. document by the Commission of Human Rights. The punitive political reaction and the vindictive legislative response to the preliminary legal victories of eastern Indian land claims litigation has received so much publicity that it could be ignored only with difficulty.

If ignorance and lack of information are not the reasons, indifference to Indian concerns is probably a more likely explanation. It is a well-established and time-honored tradition of American politics. On those few occasions when Indian issues surface and get some publicity the predictable response even today still, appears to be the astonishment voiced by 19th century Indian policy "reformers" who were surprised at the Indian's failure to become extinct: "Lo the poor Indian is still around."

If indifference to Indian human rights today is indeed the explanation (of the report's failure to address itself to that subject), it is regrettable the Helsinki Watch bothered to address the subject at all. Silence would appear preferable to a formal report which by its benign neglect of Indian human rights violation appears to absolve the United States of accountability under international standards for its treatment of Indian peoples.

## -SALESIAN MISSIONS....>

individual, capable of himself assuming responsibility. In truth, what results is only obedience, fear, passive behavior, accommodation, lack of initiative and lack of creativity."

The methodology and philosophy of the Salesian educational system — characterized by SUDAM as 50 years behind the times — is not only anachronous but also is compromised by the development and integrationist ideology of the dominant society. The relation of the Mission to the students is one of dominator to dominated within which the values of the dominator are transmitted and inculcated with such force as to effectively crush the culture of the dominated. According to the SUDAM report:

"The Salesian mission are emphatic in justifying accelerated acculturation. The bishop Dom Miguel Alagna was very clear in affirming that education is the most important thing that could be given by the missions, at the same time recognizing the natural tendency for integration of that area to the larger socio-economic system, and recognizing the importance of preparing the Indian to confront, as a labor force and as political men, the necessities of capitalist society. However, given the circumstances of forming religious groups where christian ideology is not known and which is the principal reason for their presence in the region, education is a strong vehicle in the process of catechization. Logically there occurs an alliance between the values of christian morality and modern capitalist society, strongly involved with the anxieties of development."

The new strategy of the mission is the decentralization of schooling into small schools in the villages which function between the first and third series of the

primary level, including alphabetization in Portuguese. This educational system contradicts law 6.001, article 49,

which provides for bilingual instruction in Indian areas. Their professors are trained by the mission and many times they are from other tribes than their students. The remuneration of these professors is 60% of the minimal salary of the State. The imposition on the part of the mission in the formation and the choice of the professors provokes a disrespect for the true masters of indigenous education.

To maintain the curriculum, the missionaries import books and didactic material from the south of the country which are sold at high prices even though they receive federal and international subsidies for this material. Despite the mission's receiving gratuitously the school snack as well as money for the meals of the interned students, the list of contributions that the mission requires from the parents of the students is frightening. The interned students, besides bringing a large set of clothes, bought in the mission shops, are also obliged to bring their own food.

All this type of action of interfering directly in the economic structure of the Indian populations of the Rio Negro, leads to detribalization, which is sustained by this type of educational system imposed by the mission. In this regard, the report of SUDAM raises some questions about the courses maintained by the missions:

"As far as the abilities gained through the typing courses, etc., it is possible that one can make use of them in a city like Manaus, Santarem, Itacoatiara and even Sao Gabriel, but one must ask a fundamental question. To what end is this instruction taking these Indian tribes? To foment the exodus to the cities? Is this the form of integration which is intended?

### Appropriation of Indian Lands

The situation of Indian lands on the Rio Negro has still today not been regularized nor can one find any concern for this on the part of the missions. On the other hand, one of the primary preoccupations of the Salesian missionaries has been the regularization of the lands of the missions on the upper Rio Negro as can be noted in a letter by Padre E. Dalison. It is enough to note also an observation of the Service for the Protection of the Indians in 1939 referring to the Salesian missions:

"The SPI is obliged by law to defend the land of the Indians and its principal duty is to guarantee their possession, in proportion as the Salesian mission is appropriating this land registering them in its name whenever it could, leaving the forest-dwellers forever destitute legally of everything."

Thus it is shown that the Salesian mission, like any other profit-oriented enterprise has expropriated Indian lands registering them in their own name and separating the Indian people from their principal means of production: the land and consequently, creating conditions for the exploitation of the Indians as cheap laborers.

In the majority of cases, the expropriation of land is accompanied by a profound blow to the Indian cultures, as is the case of Pari-Cachoeira where the mission set up a cattle pasture on the ancient cemeteries of the Tukano.

In this time when the question of land is fundamental for the physical and cultural survival of these people, the Salesian mission is a conniver in the farce of the delimitation of lands into discontinuous areas, which FUNAI did with indigenous lands of the Rio Negro in the beginning of 1979. They left outside of this delimited land, a considerable number of Indians who live on the lower Vaupes and the Rio Negro. ■



# Synthetic Fuels: A Doubtful Road Ahead

by Winona La Duke

(c) 1980

President Carter's two-pronged approach to the nation's energy problems — the Energy Mobilization Board, and the Synthetic Fuels Bill — are likely to change the face of the nation permanently. The Energy Department's goal of two million barrels of synthetic fuels per day by 1990 and the \$88 billion subsidy to the industry have in effect made a very expensive, relatively untested technology possible. It is surprising, that with so little known about the history, the ecology, environmental and economic aspects of the synthetic fuel industry, so many plants are predicted, and that these plants go relatively unnoticed as they sprout up in the coal fields of America.

Coal gasification originated during World War II. The machinery and ground troops of the Third Reich could not rely on foreign oil, and Germany's coal reserves became Nazi oil. The first coal gasification plant operated at a capacity of 17,000 barrels per day, stabilizing the war and development machine of Germany.

In recent years, the Union of South Africa has experienced a situation similar to that of Nazi Germany. Sanctions against the South African government, initiated by the United Nations, have put the minority regime into a precarious position relative to further industrialization. Since the early 1950's, South Africa has been preparing for these economic sanctions. Because the country has no oil of its own, the South African government constructed a coal gasification plant — SASOL I — which became operational in 1955. About 90% of the oil imported by South Africa came from the Shah's Iran. One result of the Iranian Revolution was that Iranian oil exports to the R.S.A. were abruptly cut off, forcing South Africa to either buy oil at the market price or develop its own alternatives. Two coal gasification plants — SASOL II and III, are nearing completion, the latter scheduled for operation in 1982. These plants will become the backbone of South African industrialization, a development made possible primarily by a United States-based corporation. (Black liberation forces have carefully monitored the development of the South African synthetic fuels facility, and in 1980, postponed the timeline for South African energy independence when the African National Congress allegedly bombed the storage tanks at two of the refineries in early June.)

The introduction of the synthetic fuels industry to North America promises to be quite a sensational event. According to a 1976 report of the MITRE Corporation, 24 "pilot projects" have been in operations in the United States for several years. For various reasons, however, it appears that the technology (read economics) of the U.S. synthetic fuels facilities are not competitive with other sources of fuels. In 1979, the Department of Energy obtained State Department clearance to buy the SASOL I Data Bank from the South African government.

Synthetic fuels facilities are now predicted for virtually every coal-rich area in the United States. In the first Synfuels Funding Cycle, the Department of Energy awarded monies to corporations interested in building plants everywhere from Maine and Alaska to New Mexico. The west, of course, will receive a good share of funding and facilities — 24 "synfuels" plants are projected for the western coal fields.

On July 10, 1980, the Crow tribal council received a \$2.7 million grant from the Department of Energy to conduct a feasibility study on a reservation-based coal gasification plant. Other reservations which according to the Council of Energy Resource Tribes are likely sites for on or off reservation synfuels facilities include include Northern Ute (Colorado), Navajo (Four Corners), and the Fort Peck Reservation in Montana. For such impoverished reservations, a synfuels facility expected to cost up to \$4 billion is an enormous project. Some very powerful financial institutions appear to be prepared to put the plants, at whatever costs, on the reservations.

An Equitable Life Assurance official has noted, "Energy developments owned by Indian tribes have the potential to become excellent investment opportunities." Equitable is in a very good position to know these things. Aside from being a participant in the Peabody Coal Holding Company, a company which controls fully one-third of all Indian coal leases (and incidentally an 11,000 acre lease on the Crow reservation,) Equitable is a major stockholder in most energy corporations in the United States. Equitable's interests rank as high as first in Southern California Edison, on down to the number four stockholder position in CONOCO and ARCO. Equitable also has a very direct connection to both the federal and Indian energy areas. Equitable was recently named to the Carter Administration's seven member board of the Energy Security Corporation — the federal authority which supervises both purchases and subsidies from the federal level. In addition, Equitable does feasibility studies for CERT, and has been directly involved in advising this organization, as well as several others. In one "advisory" Indian organization, Americans for Indian Opportunity, Coy C. Ecklund, Chairman and Chief Executive Officer of Equitable, sits on the board of directors.

Another common denominator in reservation-based energy projects is a construction firm. The Fluor Corporation (another part owner of the Peabody Coal Company), was the contractor involved in the SASOL complex in South Africa. Fluor is also involved in both the Crow and Navajo coal gasification projects.

The prototype of synfuels — Fluor's model in South Africa — provides some insight into what both the tribes, and other communities might expect from the final product of Fluor's work. Feeding the SASOL complex is a mining operation consuming some 27 million tons of coal annually. It is the largest mine system in the world. As the coal is processed into liquids and gasses, 20,000 tons of "ash" per day is discharged into the environment. Employment is high — only in the construction stages, as the job opportunities dwindle from 22-2500 in the building, down to 500-1,000 for operation of the facility. In operation, the SASOL complex requires 1200 megawatts of electricity, equivalent to a large coal fired power plant, or enough to supply the needs of Oakland and San Jose (CA.) combined.

The price tag for these facilities is not a minor factor. An estimated \$4 billion for one facility, might easily be doubled by "accessory costs" i.e. coal fired power plants, mine systems, etc., with an added sum to be paid for any repairs, or "mistakes" during the 35 year "life expectancy" of the facility. As Ben C. Ball of the Massachusetts Institute of Technology reported, "Corporate failures, if and when they occur, will be enormous by any standards. The failure of a single synfuels plant producing 50,000 barrels per day, would be equivalent in size to the bankruptcy of the 100th largest US corporation."

Meanwhile, from South Africa to Washington, the U.S. Federal government continues to bolster the industry. While the failure of the Energy Mobilization Board (a bill which would have given federally designated "priority projects" virtual eminent domain) has caused a collective sigh of relief in many communities, the pressure has increased on the reservations. What the states can't be forced into, the tribes may be "advised" into. For the oil companies who control more coal reserves than they know what to do with, the synfuels industry is a bonanza in the "alternative market". Indians, farmers and ranchers, however, have quite a few questions which, as yet, remain unanswered. What effect, for example, would \$88 billion in taxpayers' expenditures on small-scale alternative energy projects have on the rural economy? That question, and a number of others, could provide some alternative advice and answers before any more "technological testing" occurs in the name of "Energy Independence".

## ENERGY THINK TANKS

It seems everyone has an advisor, and on the pressing issues of energy development, who gives the advice, and what they say, is becoming increasingly important. In the western United States, two governmental bodies have a significant influence on both federal policy and the economy of the nation — the western governors and the Indian tribes. In the age of the "Sagebrush Rebellion," individuality is making its mark on the west, and the "think tank" which has been perhaps most influential on this major move by the western governors is the Western Interstate Energy Board.

The Western Interstate Energy Board (WIEB) actually started out as the Western Interstate Nuclear Board. Situated in the same Denver office building as the Western Governors' Policy Office (WESTPO), communication between the two is enhanced. The WIEB is basically occupied with querying corporations on their plans for the west, then turning this information over to WESTPO. One of the first projects of the WIEB was a study on "Nuclear Energy Centers" in the west. Completed in 1977, this study called for nuclear energy centers or "nuclear parks" comprised of twenty-five to forty nuclear reactors to be situated in "low population zones." Seven possible sites were selected in the western United States as suitable for these facilities. Without exception, these facilities are located on, or adjacent to, Indian reservations.

As of 1980, Green River in Utah and the Hanford Nuclear reservation in Washington state are the two most likely sites for these facilities. The expectations of industry have been scaled down considerably — the "nuclear parks" are now expected to include only ten to twelve nuclear reactors. The proposed locations, however, remain the same.

In 1979, the Western Interstate Energy Board became primarily interested in synthetic fuels, and the potential of the coal industry. In a 1979 annual report, twenty-four synfuels facilities, sixteen coal slurry lines, and up to thirty coal-fired power plants were predicted for the western United States.

The Council of Energy Resource Tribes is the Indian Energy Think Tank. Working with twenty-six tribes, the advice and information provided by CERT to the tribal chairmen has a very direct influence on decision making, and eventually on the entire nation. A half dozen studies on uranium potential, numerous studies on resource inventory, and coal potential, the feasibility of coal-fired power plants, and synfuels facilities have been the primary reports of the organization.

The economic situation of most reservations — 70% average unemployment and an average reservation per capita income of one-fourth the U.S. national average — is a spur towards "economic development." The most efficient path toward this goal of "development," according to CERT, the Departments of Interior and Energy, as well as several other bodies, is through energy resource exploitation and export.

Perhaps the most significant concern of governors and Indians in the west is water. In this case, the tribes are the wild card to any energy development. Legally entitled to most of the water in the arid west, if a tribe opts for energy development, the precious water can be "dewatered," become a "coolant" (for coal and nuclear power plants,) and finally be slurried to Arkansas. On the other hand, if a tribe comes out opposed to energy development in the west, energy development could be in jeopardy.

At this time it is the Indian peoples and not energy development which appear in danger, especially in the development areas of Big Mountain, Burnham-Eastern Navajo, Crownpoint-Dalton Pass, Churchrock, and among the Pueblos.

## Big Mountain

Six thousand Dine face relocation from the Big Mountain area as a result of passage of P.L. 93-531. Dine (Navajo) and Hopi elders lead the resistance to relocation, contending that after the people are removed, Peabody Coal will expand its 60,000 acre coal strip mine into the 22 million ton deposit underlying the

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## SYNTHETIC FUELS CONT.

area. Initially offering financial "bonuses" to families who would voluntarily relocate to Flagstaff, the government is now implementing a "stock reduction program." This program allows federal officials to confiscate and slaughter livestock located within the contended area, and presumably will expedite the relocation process. In August of 1980, Nabahe Kadinah, a local resident and organizer, was arrested on felony charges of assaulting a federal officer and federal equipment. His arrest has been one among many in this area.

### Burnham — Eastern Navajo

Burnham is central to an area predicted to host the impending coal boom in Eastern Navajo. After two years of legal suits against the Department of Interior and Consolidation Coal, the court has ruled in favor of the company. Consolidation plans to open a 40,000 acre coal strip mine, possibly adjacent to six coal gasification plants. Several other coal strip mines, an underground gasification plant, and several power plants are planned for this area of north-western New Mexico. Local families are strongly opposed to these plans.

### Crownpoint — Dalton Pass

The Crownpoint-Dalton Pass Chapter of the Navajo Nation is the planned site for many uranium projects spearheaded by Tennessee Valley Authority, Mobil Oil and United Nuclear. Elsie Peshlakai, a local resident, was instrumental in initiating a lawsuit (*Peshlakai v. Schlesinger*). Seven branches of the federal government were taken to court over an illegal uranium development policy. A court decision ruled in favor of the government, and all uranium projects are in construction and development stages. Last year, water wells were discovered to have high levels of radiation, some of which registered radiation readings twenty times above those allowed under federal law.

### Churchrock

On July 16, 1979, one hundred million gallons of highly radioactive uranium mill tailings water spilled from the United Nuclear facility into this community. Cleanup by the company has been haphazard, and at this time, many families are still forced to purchase and haul water and food from elsewhere. After tests were completed on local residents and contaminated animals examined, a lawsuit has been brought against the offending company.

### Pueblos

Five Acoma women died in the last months of 1979 from bladder cancer. Acoma is located just downstream from the Anaconda mine site at Laguna Pueblo. Resistance to energy development in the Pueblo communities is very strong.

The United States is the number one producer of uranium in the world, and the Southwest supplies almost one-half of the nation's annual uranium production. The mineral threatens to dominate not only the economics of the region, but the land, life and future of all living things. Thirty-eight operating uranium mines supply uranium to reactors in New York and California, West Germany and South Korea. The impact is world wide, yet the impact today is felt more in the Southwest than anywhere.

Seventy percent of the 100 Navajo uranium miners who were monitored in a recent study were found to have contracted radiation induced lung cancer. Thirty have died, and forty are now dying. Even the widows and children of these miners contract rare forms of skin cancer at a rate far higher than that of the average population, and leukemia has appeared among small children. The water supply in those areas where mining is occurring or has occurred is contaminated with radiation.

The economic impact of the mining way of life are also being felt by the Native people who have hosted the



largest and oldest uranium strip mines. The Jackpile Mine at Laguna Pueblo, the largest uranium strip mine in the world, was recently closed by the Anaconda Company. Although the company and the payroll are gone, the uranium wastes remain, and will remain, for centuries. The closing of the Anaconda mine, lay-offs at the United Nuclear facility, and similar events throughout the Southwest mark the beginning of a "bust" period in the industry, as noted in a recent *Wall Street Journal*, article. These corporations will continue mining because the federal government provides enormous subsidies to this industry which keeps the demand for uranium to fuel the nuclear power plants of utilities throughout the world growing. These utilities have contracts which have been signed with U.S.-based transnational corporations whose source of uranium is the lands of Native peoples.

Those companies which do leave will turn the land, people and water rights over to the impending peril — the synfuels industry.

The anti-nuclear movement in the urban United States has enjoyed a measure of success; many utilities are backing away from expanded nuclear capacity. The Democratic Administration of President Carter has had a sincere interest in synfuels, quickly moving from paper to power plants. President Carter has guaranteed \$88 billion to the synfuels industry, with goals of two million barrels per day by 1992. This subsidy will make a very expensive, very dangerous technology possible.

New Mexico not only plays a leading role in uranium production, the state is also a leading exporter of coal. Once again, the Navajo Nation enjoys a primary role, hosting three of the ten largest strip mines in the country. Approximately 95,000 acres of the reservation are under producing coal lease, with twenty million tons of coal mined annually. Due to lax regulation, sparse population and the proximity of the coal fields, five power plants are located on or adjacent to the reservation.

The Sante Fe Railroad estimates that coal production can increase by a factor of ten in this area within the next fifteen years. Six synfuel plants are predicted for northwestern New Mexico, with one company receiving \$3 million from the Department of Energy for a feasibility study. The environmental consequences of synfuels technology are virtually on par with those of nuclear technologies.

A single plant which will produce 50,000 barrels of synfuels per day will use five to ten million gallons of water per day. Over a period of twenty-five years (the estimated lifespan of the plant) it would generate enough waste to cover 1.6 square miles to a depth of ten feet. The list of wastes produced by this technology sounds like the chapter titles to a handbook on toxicology: arsenic, mercury, cyanide, polycyclic aromatic hydrocarbons, cadmium, lead, uranium, thorium, polonium, and others. People who work in this industry are exposed to serious health hazards. A MITRE Corporation study ("Health and Environmental Effects of Coal Gasification and Liquefaction Technologies") showed that workers at a Union Carbide plant in West Virginia suffered twenty times the incidence of skin cancer as the general population, while other cancers remained fairly rare among them.

The coming decade promises the development and wide-scale use of hard technologies which will provide the energy supplies and profits needed by large industry. These technologies are expensive and, to a considerable

degree, unproven, and there is a growing amount of evidence that they produce by-products which will create health hazards to the public for generations to come.

The headlong rush to energy development is fueled more by the corporate needs for profit than by needs defined on a human scale. The synfuels will provide fuels for mass marketing of automobiles and for the defense industries, the backbone of the North American branch of the transnational economy.

The first victims of this energy development, be it nuclear or synfuel, will be the Native peoples whose laborers will be exposed to the contaminants as miners and workers at the plants and whose communities will be driven from the land because of the contamination or the taking of their water supply. Some, like the Dene of Big Mountain, appear destined to be simply driven from the land at the hands of the U.S. government, victims of yet another century of dishonor perpetrated by United States politicians.

The American public and the Indian people are not being informed of the consequences, in human lives or on the future of these regions, of this kind of energy development. It is one of the greatest news stories of our time, and it is as yet practically untold. We have moved to the threshold of development from which there may be no return. Certainly, in some of the desert areas, there will be no return of human populations for centuries.

What is happening is most certainly a crime, and all of the peoples who will inhabit this planet for generations beyond the coming fiscal years, all whose vision transcends today's all-powerful "bottom line", are its victims.



"...There once was a coal gasification plant..."

Institute, West Virginia, was the site of the largest coal gasification plant in North America. It was operated by the Union Carbide Corporation between 1952 and 1962. A report of the MITRE Corporation, released first in 1976, found that severe environmental and human contamination resulted from the operation of this facility. Carbon monoxide, hydrogen sulfide, nitrogen oxides, arsenic, mercury, cyanide, benzene, cadmium, lead and a host of other pollutants were released into the environment from the Institute facility.

Various environmental problems including leaching and contamination of ground water in the coal holding areas, water contamination from discharge, and air pollutants are among the list of problems discovered at the facility. As the MITRE report ("Coal Conversion Processes, Potential Carcinogenic Risk") states: "... The incidence of skin cancer in workmen exposed to the coal hydrogenation process was between 16 and 37 times greater than that of West Virginia, or the United States as a whole. Of 359 coal hydrogenation workers examined over a regular five year period, 63 skin abnormalities were discovered in 51 of the men. Eleven of these lesions were diagnosed as skin cancers. There were 42 skin lesions verified as precursors of skin cancer..." The report notes that the "trace elements" released in the facility are associated with lung, bladder, prostate and other forms of cancer.

The report concludes with recommendations of studies to be undertaken by various federal agencies on the effects of these facilities on populations and the environment.



# The Oppression of The Unborn

## FETAL ALCOHOL SYNDROME

Sandra Johnson, mother of 10 children, is a Mohawk woman who live at Akwesasne in the village of St. Regis, Quebec. She is an apprenticing midwife and for the last three years has been doing extensive research on the Fetal Alcohol Syndrome. Sandra is not a scientist, she is not a physician. She believes that it is up to people who are interested and know about FAS to make that knowledge available to people. With her commitment to the health of mothers and the unborn she exemplifies the kind of community health activist that many of our communities need. We hope the following interview with her will educate and encourage other mothers to look clearly at what needs exist in their own communities to secure the health and well-being of infants and mothers.

KC: Sandy, what led you to do the research you have been doing on the Fetal Alcohol Syndrome?

SJ: It started with an interest in nutrition, with pre-natal nutrition — how babies grow, what makes them grow, and I became especially interested in what stopped them from growing or developing the way they should. That led into all the teratogens that cause birth defects to the fetus, and alcohol seemed to be one of the biggest ones that had the most effect on the fetus. What struck me most was the terrible effects it had on the unborn baby and that it was *preventable*. If it wasn't something that wasn't preventable, I don't think I would have been interested in it, but the birth defects caused by alcohol are *preventable*, and yet it happens so much.

KC: So alcohol is a teratogen? (A teratogen is any substance or influence that causes birth defects in the developing fetus.)

SJ: Definitely, yes. It is one of the largest, besides a few other drugs. But because it is a legal drug, and it is so easy to get, it has to be one of the largest teratogens that there is.

KC: Can you describe Fetal Alcohol Syndrome?

SJ: The easiest thing to spot is that usually the baby is smaller than it should be for its gestational age. They are shorter, with a low birth weight, and they don't grow and thrive normally. For example, at three months old, the newborn will still weigh nine or ten pounds, or even less. They may be only 18 or 19 inches when they are born, and their growth is very slow. This slow growth continues all their life and there is never a catch-up period as there are with some other defects. Also, the brain size is smaller, and the head circumference will usually be smaller. At a year or so, their head circumference will still be a lot smaller than a normal baby. Often, the baby that has been exposed to a lot of alcohol before its' born is usually a very cranky baby, a very colicky baby, or a very hard baby to adjust to. So somebody that might have been drinking throughout their nine months and then come home and have this really hard baby to look after — this is what they might be dealing with — the effects of alcohol.

Also, it's easier to pick up who drinks and who doesn't drink in a small community like this than you would in a big city where people came in off the street and you don't know their background. You have a better idea which baby to look at for the signs of FAS. A lot of the babies that I've noticed here were a little premature, by maybe three weeks or one month, they had very low birth weights and were shorter than other babies. They are not the usual big happy babies that you find a lot of the time. That's what I mostly look for. You can check their physical features, but it's not always apparent when they are born. The mothers complain that the babies are very hard to look after. They cry alot. Nothing makes them happy. They don't grow no matter how much you feed them, the babies just don't thrive. They don't mature like other babies do for their age.

Maybe when they get a little bit older, it seems to me, they are kind of dull, kind of blah ... they aren't nosy, they aren't curious, they aren't inquisitive. They are content to sit and play with just one little toy. They crawl later. They walk later.

The effects of FAS range from mild to severe. In some of the milder cases — maybe not so much as when the

baby is really small — but as the baby is maybe two years old, three years old, the attention span is often a lot shorter than other children. They tend to be hyperactive. They are not classic, happy, contented babies. There are learning disabilities. This is what I am working with in the schools. It seems that all these children that are exposed to any amount that is more than moderate suffer from learning disabilities. This is what I am trying to hit on in this program, is to spot these children. They are not stupid, they're not lazy, they're not backwards. They have learning disabilities. And because it's not physically evident, it still stems from the alcohol they were exposed to before they were born. They don't do well in school. They have the pattern of repeating grades. They just don't absorb, they don't comprehend as well as another child. But it isn't easy to detect. This is why I'm trying to go into the schools and give the teachers a knowledge of this — so they'll be able to deal with the children. These children aren't troublemakers.

The one thing that everyone should know about FAS is that it's preventable. It's not necessary, it doesn't have to happen. And it is 100% irreversible. There is no way you can ever go back and re-program a child or change anything about an FAS child. Even if they're taken out of an alcoholic home and put into a foster home, their rates of growth and development are almost exactly the same as if it were left in an alcoholic situation.

KC: How much alcohol can a woman consume during pregnancy and still be safe? How is the amount of alcohol and the time of pregnancy related to the degree of damage to the child?

SJ: No *safe* level of alcohol consumption during pregnancy has been established. The general advice from experts is not to drink at all during the whole nine months and abstinence is suggested even when you are

planning a pregnancy. One good binge can do damage to the child. It is so concentrated, in such a short amount of time, that even one good binge can be devastating to the developing fetus. In the first three months the brain is growing, the central nervous system is developing. This is a critical time. This is when alcohol can do the most damage. Alcohol kills brain cells which can't be replaced. This is why an FAS child will have a smaller brain size. Alcohol is a poison. Remember, the pickle things in alcohol! And it easily reaches the fetus and produces life long damage that is 100% irreversible. The second trimester of pregnancy has to do with the development and refinement of organs and systems like the respiratory system and the heart. The last three months is when the fetus puts on alot of its body weight. Alcohol in any of these stages would have different effects. They say that they can tell by the child which stage of pregnancy the mother drank the most — just by the defects the child has.

KC: How would you counsel a woman who drank alcohol during pregnancy and wonders if she may have damaged her child?

SJ: There is no use to carrying a burden of guilt. The important thing is to get help for the child if she notices any of the signs of FAS. Of course, you would talk to her about future pregnancies and all the effects of alcohol and what it can do. If you are dealing with a woman who is an alcoholic it is a different kind of problem because even though she might want to quit drinking she may not be able to. So you would have to see that she gets further counselling and maybe rehabilitation. Maybe she'll need a good birth control method. She may consider abortion. If the alcoholic

Fetal Alcohol Syndrome  
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Alcohol is known to cause birth defects. Some of these defects can be seen and some cannot. This 2½ year old is the child of a chronic alcoholic. The short eye slits, flattened groove between the nose and upper lip, underdeveloped upper lip, small head circumference and poor development of cheek and jaw bones are classic signs of FAS. Other defects include mild to severe mental retardation, heart defects, poor muscle development and function, poor attention skills and problem solving abilities, behavioral difficulties, and failure to thrive. A good question for prospective mothers: Is drinking worth it?



woman is pregnant, it just can't be "look, you're pregnant, get off the booze." It just won't work. It has to be that people understand what you're talking about. And no guilt involved. So you drank with your last baby, well, let's not look back. You can't undo any damage. Let's get help for the baby and now let's work on this baby that you're carrying.

KC: So, in dealing with FAS, we are back to dealing with alcoholism.

SJ: Definitely. This is the root of alcoholism! The alcoholic is bringing into the world a child that has a 99% chance to be an alcoholic anyway, so how can you ever cure alcoholism if you don't get to work on FAS?

KC: So you would say that the child itself is an alcoholic?

SJ: Definitely. Anybody who has built up a tolerance to alcohol, whether before they are born or after they're born, their chances of becoming an alcoholic or actually being an alcoholic are almost 100%. It is that building up of a tolerance to the alcohol which makes you an alcoholic. Although this has not been definitely proven — some researchers say yes, others say no — some just say they have a 50% more chance of becoming an alcoholic. A lot of other researchers will consider them alcoholics automatically because they suffer some of the same organic damage that an adult develops along the course of alcoholism — damaged kidneys, liver, etc. The child is already starting out with some of these things and it would slip into alcoholism a lot faster than a normal child would.

KC: Alcoholism used to be looked at as a moral weakness. Now we know that it is a disease, that it affects all social levels and communities. How has the research on FAS impacted alcoholism in general?

SJ: If enough publicity can get out about it, if enough awareness programs are started all over the country, then the research should have an impact. But then, we are dealing with the attitudes people have about alcohol, and this is the problem.

KC: What are some of these attitudes?

SJ: Research on FAS has been going on for about 10-15 years. It is only in the last 4 or 5 years that this research has become popular and made public. I think that people don't want a lot of bad things known about alcohol. Alcoholism carries a bad stigma and people's attitude towards it makes it accepted — people *don't want to know* all the terrible things that it does.

In attempting to persuade officials that an FAS program was needed here I came up against a stone wall. They all know in the back of their minds that there is a problem. But Indian people have been stereotyped as drunks for a long time now, and they have an idealized image of how they would like things to be. But the reality is that there is alcoholism on this reservation, and it is producing damaged children, and they don't want to deal with the stigma of that! There is so much ignorance about alcoholism.

The attitude that I ran into that surprised me the most was the fact that some women think that they can drink during a pregnancy and this will have nothing to do with the baby. The baby is a separate little entity that has nothing to do with what she does. They are really surprised when they find out that the alcohol goes through the placenta and into the baby just as much as it does in the mother. People just don't want to accept the idea that the baby is as drunk as the mother is. Another big problem I have found is that a lot of people who drink don't want to know about it. Because if they know the effects of alcohol on the unborn, then they've got to face their own drinking problems, and that seems to be the biggest hang-up.

I knew some women who drank a lot when they were pregnant — they seemed to make this big goal that they were going to be drunk when they went into labor. Their attitude was "well, I've been drinking all this time, when I go into labor I'm gonna make sure I'm good and drunk." That seemed to be the big thing. Then when they did go into labor, of course, they had their own anesthetic. They had longer labors, they seemed to have more complications, more problems, especially with the baby. When the baby was born I could smell the water, I could smell the alcohol in the amniotic fluid. Then of course the baby went into withdrawal. I think that's one of the worst things I've ever seen. I've seen it twice. That's the worst.

KC: What happens when the baby is born?

SJ: It was very, very nervous, very hyper, spent most of the time crying, and crying and crying, and kind of — not convulsions — but jerking of the arms and legs. It

just kept jerking and it seemed like the baby never really quieted down. It wouldn't nurse, wouldn't drink, wouldn't eat for quite awhile. Well, it's the withdrawal from the alcohol. It's really bad hangover the baby is suffering with and if you can imagine the headache it's got and the feelings, the cramps, the legs always coming up. It's got a really bad hangover and that's exactly what it is. It takes maybe a good week for the baby to balance back out — you know, get rid of all the alcohol, build up its own system again and then kind of level out.

KC: How did they deal with those infants in the hospital?

SJ: The ones I saw in the hospital they treated just like they did any other baby. They just left them in the nursery. I had spoken to one of the nurses, I had said to one of the nurses, don't you know that the baby is going through withdrawal? And she said, very casually, well the mother was drunk when the baby was born. But she didn't seem to think that would have anything to do with the baby. I said to her that you can tell the baby's going through withdrawal right now, look at it. She said, well, I don't have the authority to do anything but change it and keep it in the nursery. When I got to the doctor, I got thrown out of his office. He said that alcoholism was a personal problem and that he had no right to intervene in anybody's personal life. When I brought up that the welfare of the baby was his responsibility — he said well it ended at a certain point and whether she drank or not wasn't his responsibility. And that's how he has treated most of the cases. And yet he has had cases where he's seen that alcoholism was a problem and he said he had no right to intrude in her personal life, whether the baby was withdrawing or not, it would get over it. It would adjust. Since he's a top physician here, it didn't seem there was much place else to go and when I did go a little bit higher, I didn't get any response to that either.

They don't want to recognize it, they don't want to deal with it, maybe because they don't know how to, or maybe because they figure next year she'll be back and have another one. I don't know — but it's just like a really defeatist attitude towards the whole thing.

KC: I think one of the biggest things that your work on FAS has done is that it reaffirms the fact that women have to mother their babies before they are born.



SJ: Right, and why they think that their unborn child is such a detached thing is what really surprised me. Even trying to talk to girls about nutrition, you should eat well. They think the baby's going to pull all this food out of no where and become a beautiful baby later, whether she ate potato chips or not. That's the attitude. Whether she drank alcohol or not what does that have to do with the baby. It was really amazing that they have this attitude. It was in the book "Life Before Birth" where the doctor describes how when you're pregnant you're a grocery store and you stock all the shelves with all the things this baby needs. Because if you're not stocking those grocery shelves, it's not there for the baby, it's not available. So where do you think it's going to get it?

KC: What about alcohol and nursing the baby?

SJ: People should know that when you're nursing, that even a few drinks go right through into the breast milk. You'll find that if you go out and have a few drinks then come home and nurse the baby, the baby dozes right off to sleep because you've given it an anesthetic. If you nurse that baby for six months to a year and drink it's going to have an amazingly high tolerance level to alcohol after being exposed to alcohol for the first six months after its born. You've got a 20 year-old alcoholic on your hands. It's going to take more and more alcohol every time to put that baby to sleep. It's going to need more and more alcohol to get it to the point where it will doze off. But then, when the baby wakes up after three or four hours of sleeping it's going to go through the same withdrawal as an alcoholic. You drink and nurse it, it sleeps and then it wakes and the alcohol has worn off. In the meantime the baby is building up a higher tolerance to alcohol too. If a person

who is 20 years old who doesn't drink gets drunk, it's going to take more alcohol to make that baby drunk than it is to get that grownup drunk because it has a higher tolerance than other people have.

KC: What does your program on FAS entail? How did you get it going, without a big government grant?

SJ: I guess having a hard head helps. It was really important. I was gradually getting all the information, screening it myself, making sure that I had the facts, that it was true. After I did get it all together, I realized how many children here in this community are suffering from the effects of alcohol. It's not really difficult to spot FAS children once you know all the facts about it and the long-range effects. I went to the clinic. I wrote to the head of the Dept. of Health and Welfare of Canada because there was absolutely no information, no literature, absolutely nothing available at the clinic on alcohol and FAS, and personally, I knew literally hundreds of babies that suffered from the effects of alcohol. I went down to the clinic and I talked to the head nurse. She had never even really heard of FAS, and very little on alcoholism. She was surprised that I would want to even start an FAS program. Nobody was very interested. Alcoholism was still being pushed into the closet. It's ridiculous! FAS is the third leading birth defect. Downs syndrome (mongolism) and Spina Bifida are the first two leading birth defects, but FAS is the only one of all the leading birth defects that is preventable. And that is why I thought that this is one we should work on.

KC: How did the government respond to your program?

SJ: Since the program was so important to me — I thought it would be important to everybody else. I went around to different organizations and clinics and officials expecting them to feel the same way I did about it. It's definitely something that's preventable, and why don't people know about it? And why isn't help given to people who do have a drinking problem? Especially young mothers! And the response that I got was that they didn't think it was that important. They didn't show a great interest in it and what they did give me was very little, like allowing me to put my posters up in the clinics. I had to use my own money and my own resources. They didn't do anything to help me get the information. I started to wonder why an interest wasn't shown by the government and by doctors that run the health and welfare and the clinics and organizations. I thought: they don't realize the problem that's here. Maybe they want the children to stay this way. If we keep having children that aren't very ambitious or very bright maybe this would keep things the way they are so that there won't be more problems with Native people, that they won't grow up and be well educated and find out what is going on and hassle the government.

KC: The thing that impresses me, is that you did it without government grants, and even with very little help from the government and its agencies entrusted with the health of the community. It's very encouraging to people, whether they be lay-midwives, interested aunts or women's groups. It seems like there are a lot of things they could be doing, as you are, to prevent Fetal Alcohol Syndrome. Can you comment further on some of the topics you talked about before about alcoholism in Native communities and the governments attitude towards that? It seems like the more dependent we are on government programs — we're all like alcoholics because it's a dependency.

SJ: I think that it's a battle that we've got to fight ourselves because we're not going to get the help we need from the government. Especially, this program on FAS. Showing anybody, a doctor or a nurse, something like this and researched like this, that's destroying a whole Nation of people, and not getting a response on it. I think that's definitely the answer that you're not going to get funds, and you're not going to get help from the government, that you need to deal with a problem like this.

It's a problem where if more people were interested, more mothers, more women, and nurses who had a hour to donate, who could organize here and help just because they are interested. I think it's going to have to be done that way anyway because it's never going to get the backing that it needs. It's going to be up to interested people who care and who want to do something with the future generations, for these babies that can't protect themselves. Somebody has to do something and I think it's only going to come from a group of women getting together and doing it. Doing their own groups, doing their own talks, telling other



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people. Educate your community! Giving every pregnant niece a pamphlet or information by word of mouth. It's never going to be backed fully by the government. It's the same with an alcohol program, there isn't even one here. And that's the number one problem here.

KC: Since you came into this FAS research from the angle of nutrition, could you expand upon your experience in this area as it relates to alcoholism and FAS?

SJ: Nutrition needs to be really understood. I believe that alcoholism has a lot to do with nutrition. The theory that alcoholism is a nutritional deficiency disease is not accepted as a whole, but when you look at communities, at the general diet of the people, it is more evident. Alcoholism runs in families. It runs in communities. I see the typical diet on the reservation as lots of processed, refined foods, and lots of sugar. The sugar and simple carbohydrates use up all the vitamins and minerals your body does get. This leads to deficiencies. This in turn causes cravings for more sweets, more simple carbohydrates.

To break the cycle of FAS — we literally have generations of alcoholics — you have to start with nutrition. Prevention of alcoholism, FAS, and the many related diseases begins with nutrition. I've seen mothers put pepsi, Kool-Aid, and even beer in their babies' bottles! I think they are asking for a lot of trouble. I think, just by watching the way some of the kids eat, there's another alcoholic coming up. The chemical basis for sugar and alcohol are very similar. You see kids on this reservation, 4 or 5 years old, they all drink pepsi. They often have chocolate bars, potato chips, Kool-Aid. It is all so loaded with sugar that the child is already starting out on a bad foot. The sugar kills all the B vitamins. Niacinamide, a B vitamin, is one of the primary supplements used in nutrition therapy for alcoholics.

What is particularly frightening are teenage pregnancies where drinking is involved. Babies of teenagers who drink heavily are in double jeopardy. They say that 600,000 teenagers will have babies this year and that 400,000 of them will be under 18 years of age. Their babies may be born too small or too soon because the mother's bodies are not mature enough to meet the demands of pregnancy. And if the teenager is a woman who wasn't raised with a sound nutritional basis, and drinks on top of that, unless she changes her lifestyle, she is likely to start a new generation of children at extremely high risk for alcoholism.

KC: How can FAS be prevented?



SJ: Knowledge. If you don't know about it, you can't be held responsible for something you don't know about. And awareness programs. Educate your community! Make people aware of what they're doing if they're drinking while they are pregnant. If they went out three times during their pregnancy and celebrated or whatever — they could be doing damage to that child who will suffer with it for the rest of its' life. Is nine months such a terribly long time to give up drinking? Considering that we are talking about a Human Being, a whole lifetime, that might live to be 80-90 years old. But people have to know about it in order to do something about it. And then you can only help the people that want help. There are a lot of people who won't stop drinking no matter what. But whether they take the advice or help or not is up to them. It is up to people who are interested and know about FAS to make that knowledge available to people.

—Katsi Cook

## THE SECOND LONG WALK: The Navajo-Hopi Land Dispute

By Jerry Kammer, published by the University of New Mexico Press, Albuquerque, New Mexico, 1980, 239 pages

### The Genocide That Is Called Progress

The American West is at war. It is quiet, it is slow and it is not being done with carbines. It is being perpetuated by large handfuls of cash passed under the table it is being done by the quiet shuffling of land titles in obscure county court houses it is being done by high priced public relations firms and it is being done by promises of lucrative jobs as executives in the energy industry "after this situation is taken care of."

In few places is this land and water rights grab by the trans-nationals and the utility corporations as severe in its consequences as it is in the Navajo-Hopi Joint Use Area. Here, a culture is being destroyed as well as the spirit of the people. Cultural and spiritual genocide are not new in the Americas but it continues to be an outrage against the Human Family.

In Kammer's book, *The Second Long Walk*, is a case history of how the new warfare is conducted. He describes the creation and history of what is called the Navajo-Hopi Land Dispute. As he analyzes the complex forces at work that have created the tragedy it soon becomes obvious that the situation is not nearly that simple. There are the traditional people, both Hopi and Navajo who oppose the destruction of the land. There are the non-traditional, many who are opposed to the traditionals, especially in the Hopi Nation. There is the Hopi Tribal Council of which many of the members are Mormon. There is the active involvement of Salt Lake City law firms, public relations firms and State of Utah politicians. One in particular, Wayne Owens, sponsored Washington legislation on the subject, worked for the Mormon Church in Montreal and then became a member of John Boyden's law firm. John Boyden, an official of the Mormon Church, was the long time attorney for the Hopi Tribal Council who did much to arrange the "land dispute." At one point, in 1964, the HTC awarded him a one million dollar fee for work done.

Also involved in creating the situation is Barry Goldwater and much of the Arizona state political structure.

Peabody Coal Company of Mulenburg County fame, is a centerpiece in the drama. Peabody is already operating a giant strip mine on Black Mesa, just north of Big Mountain. This strip mine with a 35 year lease on a 3,300 square mile piece of Black Mesa is poised near the mineral rich area of Big Mountain.

Involved with the Peabody mine deal was 34,100 acre/feet of water rights signed away by the Navajo Tribal Council in the mid-sixties, with the encouragement of the Department of Interior. The Department of Interior who aided and abetted this, is a partner of the energy corporations (25%) in the Page, Arizona electrical generating plant which is one of the plants fed coal by the Peabody mine on Black Mesa. The Department of Interior owns this through the Bureau of Reclamation which is using the generated electricity to pump water from the Colorado River to the Phoenix-Tucson Basin. This dubious enterprise called the Central Arizona Project (CAP) — largely funded on native land and water — is itself worthy of Kammer's attention and talents as an investigative reporter.

The federal government's active participation with the energy companies connects it then through WEST, a consortium of 23 major western utilities who are exploiting the four corners area. This consortium is

represented by Salt Lake City public relations firm, David W. Evans, and Associates, the PR firm which has done much to stage manage the "land dispute." This same PR firm also represents the Hopi Tribal Council.

Several government workers who were instrumental in the situation have later found lucrative positions with energy companies. When Kammer talked with Samuel Pete, assistant to Peter MacDonald, Navajo Tribal President, Pete told him, "Everybody was aware of the coal reserves on Black Mesa. Once the Navajos are

relocated, it will be easier to make minerals deals, because you won't have to worry about relocation," and Kammer says, "Pete points out that Harrison Loesch — who was instrumental in shaping the Interior Department's proportion policy in 1972 and who worked on the land dispute legislation in 1974 as minority counsel for the Senate Interior Committee — became an executive for the Peabody Coal Company in 1976."

Kammer interviewed Loesch in Washington, D.C. "At his Washington office, where he was Peabody's vice-president for governmental relations, Loesch said any implication that he was looking out for Peabody's interests while he was a federal employee 'is a lot of nonsense.'"

Another government worker Jerry Verkler was staff director of the Senate Interior Committee in 1974. He was intimately involved in the land dispute legislation and in 1975 he went to work as manager of the governmental affairs office of Texas Eastern Transmission Company in Washington.

Kammer has done an excellent job in tracing the huge cast of participants through a long and complex history of government control and mismanagement of native lands, multiple court decisions, legislation, and the complicated pattern of energy company leases and political alliances.

The complex then becomes simple as he reports on those in the game who have nothing to gain but everything to lose — the traditional Hopi and Navajo who are the victims. The industrial civilization feeds on resources and the traditionals live on top of rich deposits of resources. The natural, traditional people live with the life of Mother Earth. The force that confronts them threatens to extinguish that life and the traditional people who are part of it. Kammer's reportorial skill and perceptiveness reach high points as he discusses that natural culture and the severe impacts that these machinations are creating. Not only has this dispute created despair, family disruption and the destruction of family economics through forced stock reduction but there is the immeasurable anguish of the spiritual persecution and ethnocide of the impending destruction of the Human-Land equation by the forces that neither understand nor have regard for the beauty and existence of living things.

This book is a product of years of intimate involvement with the situation and as such stands as an exhaustive handbook on the new warfare, the final land and water grab that threatens to ultimately destroy native culture and land bases. In its exhaustive and intimate presentation of the human drama of the battle,

the report does not treat the area of ownership and control of the utilities, the trans-nationals, their connections to the banks or their links to political and religious structures. This is understandable in that Kammer has a subject that is already almost too large for one book, but if this secret information could be dug out of the faceless institutions we could all get closer to the realization that these destructive things are not being done by some thing with strange initials like WEST, MX or CAP, but they are being done by members of the Human Family who we move among daily and who walk, breath and

live on the Mother just as all beings do.

William H. Koethke  
P.O. Box 661  
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# NATIVE CHILD

## NATIVE PEOPLE, COLONIALISM, AND FOOD

The high school class at the Akwesasne Freedom School is discussing what happens to Native Peoples health, diet and food when a foreign government or a foreign way of living comes into their land.

When a foreign government comes into a people's land and takes over the land and the people it is called COLONIALISM.

Colonialism makes changes which often are not good changes for the people. Colonialism controls the people's way of living and their government. The People always fight to throw the foreigners out. The People fight to keep their own ways of living.

NATIVE PEOPLES are those peoples who have lived in a certain area of land since the beginning of time. They have their own special, unique way of government, food they eat, music, language, art, dance, dress, and they have their own land.

When foreign people, the colonizers, moved into the lands of the Native People it caused many changes in their way of life. We will be talking about the changes in their diet which is the food they eat. Once Native Peoples were colonized their food changed and they became unhealthy.

Native Peoples' diet changed because the invaders took over their land. Up until that time the Native Peoples had hunted, trapped, fished, gathered natural foods and raised gardens. This is called their FOOD ECONOMY.

When the invaders took over their land, they were no longer able to get their food the way they had known. When a people's way of getting their food is no longer possible, their whole way of living must change. Their food changes, their clothing changes, their language changes, their way of working changes, their health changes.

For example, there were many, many beavers in northeastern America. The beaver was used for food and clothing. After Europeans came to America, they trapped and trapped the beaver for its fur. Because they overtrapped the beaver, there were no longer enough beavers for the Native People to use for food and clothing. You will see as we study colonialism, health and food that colonialism is never a healthy way of life because it causes much damage. The damage colonialism brings causes problems for the Native Peoples health. It also causes damage to the health of the Mother Earth. Colonialism has caused some entire Nations of Native Peoples to no longer exist. It has caused many species of plants and animals to become extinct, which means they no longer exist.

Colonialism causes damage to all of the environment, which includes people, plant life, animal life, air, water, wind, soil, grass and weather.

Some people call colonialism "progress" or "civilization", but it is a process that causes destruction and damage to all living things. It is unhealthy.

The colonizers justify the damage they bring, by saying that native people are "primitive" and need to be "civilized." These are very tricky words that they use to confuse us. Maybe you have been taught that "primitive" is a bad way to be. Words are fun to study so that we know what they really mean. "Primitive" for instance, comes from primary. Primary means the first



connection. The first connection for Native People is with the land — so they are called "primitive." The colonizers didn't like that. To them being close to the land was strange. They wanted Native People to become "civilized."

"Civilization" comes from the word, civitas, which is Greek for cities. The colonizers want every Native People to move away from the land and go live in cities. They want this so they can destroy the land and no one will get in their way.



## NATIVE PEOPLES DIET - BEFORE COLONIALISM

All of the Native Peoples, before colonialism, ate food that grew naturally in their environment (their land). They hunted and ate animals and fish that were natural to their environment. Some Native Peoples were agriculturalists which means that they grew their food. They planted crops. Other Native Peoples moved their villages often because they were following the animals, such as the buffalo herds. They were called hunters and gatherers.

Native people were always very healthy people. It was rare to find anyone sick.

Each Native Nation lived very well on the plants, animals, and fish that were indigenous or native to their territory. For example, Native peoples who lived near an ocean ate whatever kind of fish lived there such as clams, oysters, etc. If they lived near rivers they ate salmon, trout, walleyes, etc. If they lived near maple trees they made maple syrup. If there were buffalo, deer, elk, pheasants, rabbits and other game animals that is what they ate. Strawberries, blueberries, raspberries and many kinds of nuts were part of their diet if these nuts and berries grew there. Many of these native plants were used for food as well as medicine. Native Peoples food was also their medicine.

Today, after colonialism, many of these foods and animals no longer exist, or are very rare. Animals were never hunted just for sport. Every part of the animal was used for food, clothing, rattles or decoration.

In many cases the land of the Native Peoples has been taken by the colonizers. The Native People now have very little land to raise crops and are hungry. The colonizers use the lands to raise crops to export which means they send the food to other countries and do not use the food for the Native Peoples. In order to raise food the Native Peoples are forced on to lands which are not good to raise food therefore they have little food. This means that they have had to change their way of eating because of colonialism.

## HEALTH

Native Peoples, before colonialism, were so healthy that it is known that a Native runner could run 125 miles in 25 hours! This was considered to be a normal run. People lived to be very old and did not have gray hair until they were 50 years old or older. Sometimes, when hunting, a man would be wounded seriously by an animal, but he was able to get well in a short time because he was so healthy. Native women had an easier time with childbirth.

Native Peoples were great athletes and this continued to be true in many areas as long as the athletes ate their traditional diet of native foods.

When people are healthy there is little illness or disease. Such illnesses as cancer, diabetes, heart disease, gall bladder, insanity, smallpox, polio, alcoholism and drug abuse did not exist. These diseases were unheard of among Native peoples.

## THE BEGINNING OF POOR HEALTH

Colonialism changed the diet and health of indigenous peoples (Native Peoples). The diet was changed when the colonizers destroyed the

NATIVE CHILD CONTINUED NEXT PAGE



## NATIVE CHILD CONTINUED

natural food supply. Once this happened, foods from the European diet and/or the invading colonial government are then forced on the people. In doing this, the colonizers create a situation in which the Native People become dependent on the colonizers for food. This means the colonizers destroyed the food supply — such as corn that was stored, buffalo, elk, moose, plus many other sources of foods. The colonial food supply is always types of food that Native Peoples are not used to eating, for example, domesticated animals, dairy foods. The Native Peoples now have to buy these strange foods from the colonizers.

Another way that colonialism worked to destroy or change the food supply was by the forced taking of land on which people grew their food. The people could no longer raise their own healthy food. This is all part of a policy to make Native People totally dependent on the colonizers.

This begins the downfall of health. Indigenous peoples bodies are kept healthy by eating a great variety of natural, healthy, native foods. When this diet is replaced with inferior refined foods that have little or no food value. The body becomes weak and sick when we do not eat good foods. As the body grows weaker, or less healthy, it can not fight foreign diseases which the colonizers brought with them. Once the health was poor, epidemics such as smallpox, measles and polio can spread so quickly and kill great numbers of Native Peoples.

Over a period of time, let's say 25 to 50 years, of eating a foreign diet, the Native Peoples then have the same diseases and poor health as the foreign people who invaded their land.

## COLONIALISM TODAY

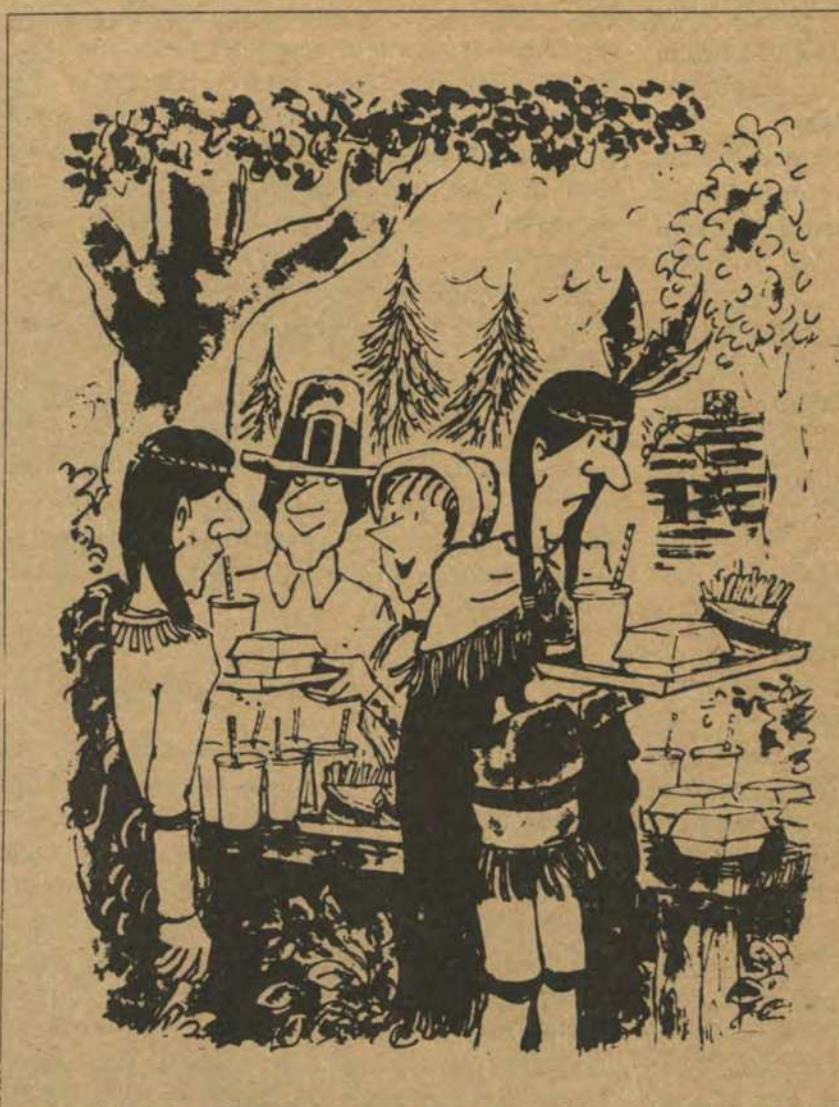
It is important to make it very clear that **COLONIALISM IS STILL HAPPENING TODAY (1981)**. There are some beautiful Native Peoples who have somehow kept their way of life, which also means their food, in a natural way. They are, however, only a few and colonialism is beginning to reach and destroy them.

Almost every group of indigenous peoples has kept **SOME** of its traditional foods, some groups have kept more than others. Today, the seed companies are trying to gain control of all the seeds. Native Peoples have kept their own special varieties of seeds through all this time by being careful with them.

There were many more varieties of corn, and beans and squash a long time ago. Some of the varieties have been lost because no one kept the seed. It is important if we are to continue to have our traditional foods that we watch over our seeds.

Today, there are many facts available which state that Indian health is far worse than the average American. This is what happens when a totally foreign diet is forced on people. Over several generations, the people no longer know their own native diet and accept the foreign diet as their own. Junk food and processed food is now common in Native Peoples diet. This has happened and this is why the health facts are so poor.

(We have changed the title of the Children's Notes to **NATIVE CHILD**. We will be presenting short stories of Native Children Today in future issues.)



AFTER YOU HAVE

READ

"NATIVE PEOPLE,  
COLONIALISM,

AND FOOD"

WRITE A 50 WORD

ESSAY ON WHAT

YOU THINK THE

NATIVE MAN HOLDING

THE

TRAY IS THINKING

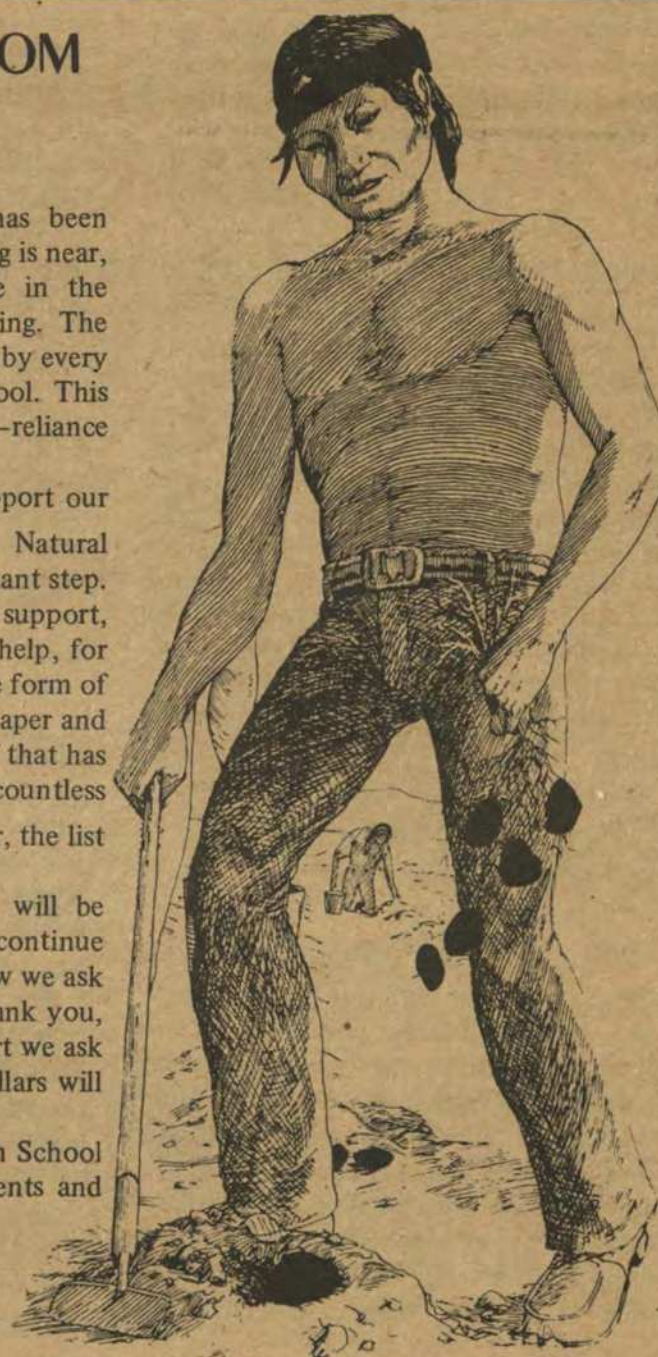
## AKWESASNE FREEDOM SCHOOL

The Akwesasne Freedom School has been operating for seven months and as Spring is near, the school, students and parents are in the process of preparing for spring planting. The food that will be grown will be shared by every family directly involved with the school. This step is another giant step towards self-reliance and inter-dependency.

We are asking those of you that support our cause, "ours" meaning Native and Natural People, to help us take that next important step. The staff and school will need support, hopefully with the Creator's and your help, for awhile. The help we need now is in the form of money: to buy lumber, nails, roofing paper and to pay staff, a full-time member staff that has committed their time, energy and countless hours of meetings, instruction, and labor, the list could go on and on.

In the very near future, the school will be advertising products for sale to help continue the operation of the school. But for now we ask for help, in return we can only say thank you, thank you for your support. The support we ask can be as small as two dollars. Two dollars will go a long way if many contribute.

On behalf of the Akwesasne Freedom School we, the School Committee, staff, parents and students say **THANK YOU**.





# A Story From The Mayan Country

My name is Chepe. I am 12 years old. I live in Guatemala, in a little village in the mountains. The name of my village is Chimimica.

I come from the Cakchiquel People. We are one of several peoples who make up the Maya Nation. The Mayas are the indigenous people of our part of the world. We call ourselves "naturales" — the natural ones.

The Maya Nation covers a large portion of Central America. We are not as powerful and prosperous as we once were. My father says that is because we have been colonized.

My father's name is Gabino. Everybody calls him Don Gabino. "Don" is a sort of title we give to men who are very respected in my village. Very respected women are called Dona.

My father says that we were colonized first by the Spanish. They came and took a lot of our land away. They conquered the Maya Nation and made my people work like slaves.

That was a long time ago, almost 500 years. My people believed in agriculture, in the cycle of the corn. We had many ceremonies to help our crops grow. The Spanish colonizers seem to have wanted only gold. This brought much misery to my people.

That was a long time ago. On October 12th every year many people celebrate Columbus Day, after the sailor Christopher Columbus, the man who our American continent by mistake. In my village we used to celebrate it, too, but not nay more. My father and some other men convinced the people not to because to us it was the beginning of a very horrible time. Instead we now have a big meeting on October 12th. We call that day a national Day of Mourning.

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Like all the men in our village, my father works in the fields. We cultivate corn, which we call MILPA, beans and fruit trees.

Sometimes I go out with my father and my uncles to help them in the fields. I carry a pot of water and take it to the different men as they stop their hoeing and weeding. They work in long rows, hoeing, picking out the weeds and bugs in the hot sun. Sometimes they sing. My father is a very good singer and very often the men ask him to sing. He knows a lot of old Cakchiquel songs. The other men say that when he sings it makes the work go faster.

I like to go to the fields because the men like to talk when they rest and then I get to listen to them. A lot of times they talk about land. They always complain how little land there is now and that every year the village grows with more and more people.

My father and my uncle Ramiro always talk about these problems. Many of the men in our village go to the banana plantations in the "south" to work. They do it because they are in debt — maybe someone got sick in the family and they had to buy medicines, or the crops could have failed due to bad weather. The banana plantations are horrible. My father is very much against any of our men going to the plantations because they always get sick. Once in a while we have meetings in our village and

my father always speaks against the plantations. He says that just one plantation owned by one single rich corporation has enough land for a thousand villages the size of our Chimimica. He says that all that land used to belong to us naturales, but that the rich ladinos took it away from us.

In our country we call "ladino" anybody who is too greedy to think about the good of all the people.

My father says, too, that all that land which goes to cultivate bananas one day will be ours again. He says that the only use for those bananas is on the breakfast tables of rich North Americans. When he says this everybody always laughs. Nobody in our village ever eats bananas for breakfast.

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In the banana plantations the men from our village are paid about one dollar per day. They are made to work long hours in the hot sun. The terratenientes — the land-owners — feed them old beans and tortillas. Sometimes this makes the men sick. If they get sick, there is no one to take care of them. Many times the men don't come back from the plantations.

But, my father says what he hates most of all about the plantations is the soldiers. The soldiers guard the plantations. When our men complain or try to leave early sometimes, the soldiers come out with their guns.

One time my father and some of our men went to work in the plantations. Some of them got sick and the plantation owners refused to care for them or even pay what was owed. My father complained and some soldiers beat him up. My father says that they do that because they are greed-crazy. They don't know how to be human beings anymore.

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Almost every night my father stops work to talk to my grandfather. This is one of my favorite times, because my grandfather sometimes tells old stories. They talk about colonialism, too. My grandfather likes to hear my father talk like that. He says it makes him feel good.

My grandfather says that every generation seems to get weaker because of the tricks of ladinos. One night he told us about Coca-Cola and other sweet drinks. My grandfather has very good teeth. Even at his old age, they are straight and even. One night he had us look at his teeth closely.

"I have very good teeth", he said. "All the old one here have good teeth."

My grandfather pointed to my uncle Ramiro and my father; my father and my uncle and my mother and all my aunts all had teeth that seemed older and darker. "Your teeth are bad", my grandfather said, "because when you were all children, that's when the sweet drinks began coming into our village more and more. During my own childhood, it was seldom that we would see such a bottle, much less drink from it."

Every generation, my grandfather says,



AKWESASNE NOTES Photo Francis Wardle

something happens that seems worse than before.

Another new thing that happened in our village was brought in by Don Pedro, who has a store.

One day my mother and some other women went to see him. He had started selling bottles which the women can feed to babies, instead of the breast. The women were curious about this new thing.

Don Pedro has a sort of strange reputation in our village. My father says he is almost a "ladino". Don Pedro is the man who brings the sweet drinks to our village. In his store he sells cans of food, crackers and cookies, hard-rock sweets, liquor and beer, cigarettes, batteries for radios, curlers, nuts and bolts and now baby bottles.

Many different times the men have gone over to talk to him. They tell him that he is not acting right, that he should be in the fields with them. He gets angry with them. "You are becoming a ladino", they tell him. He tells us that we have to progress and that we have to open up the village to new things.

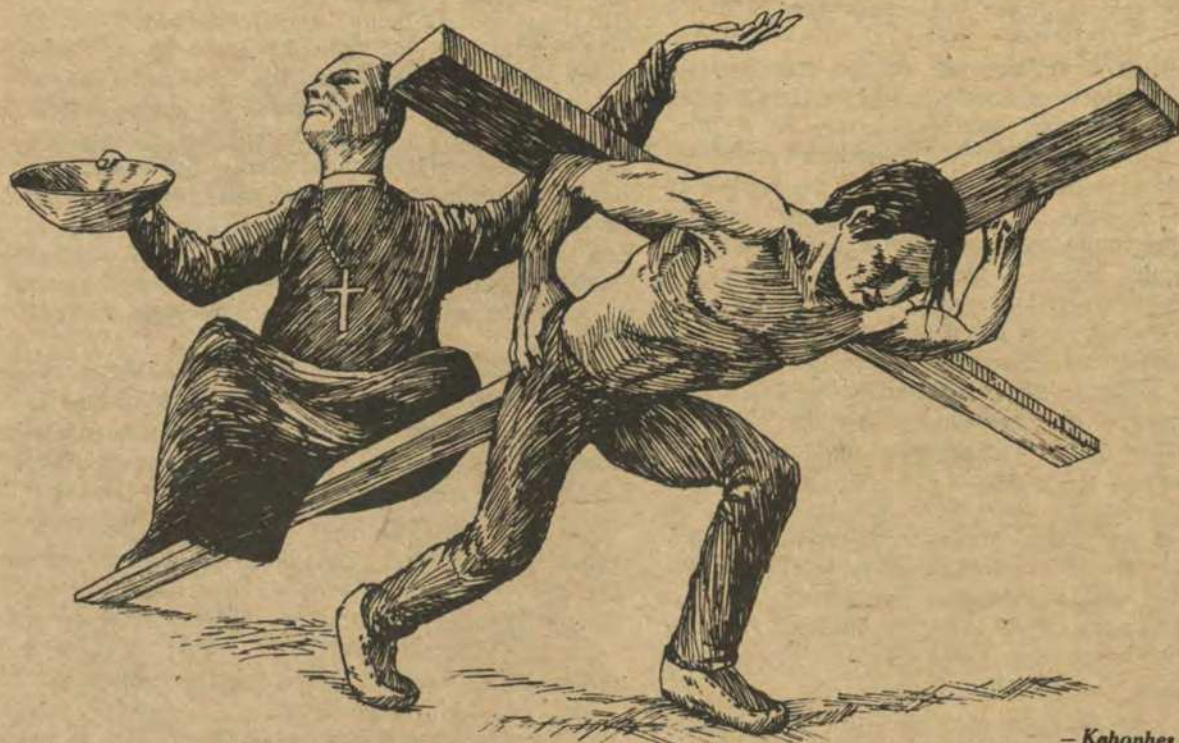
About the baby bottles, he told people that they are better than mother's milk and that their babies would fatten faster. The nipple, he said, was specially made for a baby's mouth.

The women laughed at him. My mother then said to them that they were right to laugh because a baby would have to be stupid to prefer that rubber thing than his own mother. They all left together then, and my father and the men and the young boys (me) walked out behind them.

—Ismaelillo, 1979







# Brazil:

## Salesian Missions

### Accused Of Ethnocide

*The materials left over from the Fourth Russell Tribunal are voluminous. The following selection is a good one, we feel, because it is exemplary for the way many Christian missions still subjugate Native Peoples. It should stand as a challenge to all right-thinking Christians to support the cause of Native Peoples. Anyway, it makes you wonder just how "moral" the Moral Majority really is, Eds.*

#### Introduction

We bring together in this accusation a frightening set of facts. It calls for international conscience to take note of the daily tragedies of whole nations in the process of extermination, perpetrated by an organization that is supposedly Christian and is, for that reason, committed to life and salvation. We are dealing with a brutal process of economic, social and cultural destruction, put in practice in the region of the Rio Negro, Amazonas, Brazil, by the Salesian missionaries against some of the original inhabitants of Amazonia.

The scandal is of such a scale that many, many pages would be necessary to represent it with faithfulness. Even so, the suffering, disruption, moral corruption, and the disappearance of these people would not be seen for its drama. For that reason, this synthesis and denouncement seeks only to kindle international solidarity.

For this reason, we present for the appreciation of the Judges and Jury of the Russell Tribunal, the facts about this tragedy so that these criminal actions will not remain unpunished.

Thus an appeal is being made to the Russell Tribunal for the purpose of mounting a campaign together with non-governmental international organizations who are financing the Salesian missionaries so that these organizations become duly conscious of the connivance to which they are attached.

An appeal is being made to the Russell Tribunal to stop the Brazilian government in its role as accomplice to the crimes committed by the Salesian missions.

And an appeal is being made that this become the beginning of an investigation of all religious missions who operate in Indian areas.

#### The Indian Groups Affected by the Salesian Congregation in the Prelacy of the Rio Negro

**Localization:** The Indian groups whose defense is being made in this case inhabit the Valley of the Rio Negro, in the northwest of Brazil (Lat. 3 Deg. So. and 3 Deg. No./Long. 60-70 Deg.). This region is under the control of the Prelacy of the Rio Negro, administered by the Society of Saint Francis of Sales or the Salesian Congregation, whose bishop, Dom Miguel F. Alagna, lives in the seat of Sao Gabriel da Cachoeira. There are nine missions on the upper Rio Negro, Vaupes River and its tributaries: Yauareta, Pari-Cachoeira, Taracua, Icana, Sau Gabriel da Cachoeira, Maturaca, Marauia; Barcelos and Tapurucuara (Santa Isabel) on the lower Rio Negro. Sau Gabriel da Cachoeira, Tapurucuara and Barcellos already are urban sites.

The region is the traditional habitat of various Indian Nations. The most numerous are the inhabitants on the banks of the upper Vaupes River and its tributaries: the people who speak languages of the Tukano family, and those who speak Arawak languages, namely the Tariano and Baniwa. The communities of these groups are located on the banks of the Vaupes, Papury, Tiquie and Icana Rivers; they are called "river Indians" by the other Indian peoples who live in the Vaupes region in the middle of the forest, far from the rivers. These are called Maku and are dispersed in small groups and maintain sporadic relations with the "river Indians." All of these groups live in Brazilian and Colombian territory, the Vaupes and Papury Rivers forming the frontier between the two countries.

Northwest of Sao Gabriel da Cachoeira, near the frontier with Venezuela, on the Cauaboris River and its tributaries, dwell the Yanomami groups, which in Brazil represents the most numerous indigenous groups who still have relatively little contact with the national society and maintain considerable cultural integrity. There are two missions among the Yanomami: on the Maturaca and Maruia Rivers.

#### Demographic Situation

The statistical data from the Prelacy, from FUNAI and

from other sources vary a great deal. Data furnished by the Prelacy in 1974 state that there are 13,961 Indians in the municipality of Sao Gabriel, 1,825 more in Tapuruquara and 1,937 in Barcellos, with a total of 17,723 in the Prelacy. The Indian population of the VAupes River and its tributaries would be 8,729. But this data is contested by the British anthropologist Silverwood-Cope, for whom, according to his personal observation, the missions' data is always exaggerated. According to a census made by a Director of the Yauarete mission in 1977/78 the population of the Tiquie, Papuri and Vaupes Rivers total 6,098. The data presented on the Yanomami population are inexact because the population in the Marauia region is not included in the 1974 figures. These only give the population around the Maturaca River amounting to a total of 622 individuals. A recent FUNAI estimate of the Marauia population gives about 1,500 people.

#### Social Organization

The Tukano and Baniaw groups belong to a common tradition, which includes a system of patrilineal descent, with clans and a complex hierarchical organization which determines the social and spatial position of brothers, clans and villages. The local groups are linguistically exogamous, with patrilocal marriage. For that reason, the Indians of these groups speak at least two languages (maternal and paternal) or more (including Portuguese and other languages of the approximately 35 languages spoken in the region). The "river Indians" are primarily a fishing people, cultivating in their gardens manioc, banana, pineapple, sweet potatoe, corn, sugar cane, and various kinds of fruits.

The *ajuri* or work-party is the traditional form by which the group helps each family make its garden. The *ajuri* is, then, a social happening, accompanied by the consumption of native beer (caxiri), a drink made from the peach palm fruit or manioc and, at times with lively festivals.

These people, as also the Yanomami, traditionally lived in enormous longhouse (amlocas), multi-family houses in which the local descent group lived. The spatial organization inside the longhouse reflected the social organization of the group and its network of political and kinship ties, and was the center of religious life. Perceiving the importance of the longhouse for the cohesion of the group, the Salesian missionaries destroyed the longhouses as quickly as possible to disorganize the group and to dominate and catechize it better. Today, there are no more longhouses on the upper Vaupes on the Brazilian side. In place of the longhouses, there are adobe wall, single-family houses like those of the interior of northern Brazil.

The Salesian missions have installed in the villages 78 chapels and 117 schools with instruction in some of these schools up to the third series of the first level (3rd grade). There are 64 schools in the region of the upper Vaupes, 56 of which are the first year of the first level: a little more than one-third of the 150 villages of the region. Education, after the first to third series of the first level, is ministered in the boarding schools of the missionary centers.

The majority of people in these groups are nominally Catholic and the expression of traditional Indian religion is practically crushed. The cultural hero Jurupari was central to the religion of the people of the upper Rio Negro and Vaupes and was identified by the missionaries with the devil. Both the cult of Jurupari and the use of sacred flutes essential to these ceremonies, as well as the social festivals known as the Dabukuri - festivals of exchange of food - were prohibited by the missions. Drinking native beer, an important part of all social occasions, is also considered by the missionaries as a "sin."

The "river Indians" traditionally made baskets which today are produced in great quantities and commercialized by the missions and by FUNAI. On the Tiquie River, an indigenous cooperative was founded. In Yauarete, the artwork is traded for products of the white man's world, like salt, sugar, cloth, clothes, etc., in such a way that the Indians are rarely paid in money and thus maintain a relationship of total dependency on the mission shop, the single source of these products. An indigenous cooperative in Yauarete is not successful in competing with the mission and is being manipulated by the missionaries. In July of 1978, a journal of the church



analyzed its importance and asked the mission to withdraw its competition with the cooperative, which has not been done on the contrary, the mission shop has become even stronger.

The Maku live from the hunt and from gathering, and they have small gardens of manioc, pepper, tobacco, and corn. Part of their time is spent in working for the "river Indians" cleaning their gardens and building houses and receiving food in trade. The contact of the Maku with the Salesian missionaries is much more recent than with the Tukano, due to their location within the forest and their mobility. In the last ten years, the missions are trying to settle the Maku. Now they have two Maku villages: Serra dos Porcos (Hill of the Pigs) and Cucura (a new establishment).

About the Yanomami Indians on the Maturaca and Marauica missions there is little information. The Yanomami, whose population in Brazil is estimated at between 9,000 and 10,000 practice an intermittent nomadism. They live in the forest near to small streams and far from the great rivers. They live by hunting, gathering, fishing, and the products of their gardens. The various Yanomami groups in Brazil and Venezuela do a lot of visiting amongst themselves, for great festivals and exchange of information, travelling thus over a large area. Their material culture, like the Maku, is limited to what is essential for survival and for the periodic changes to other places. They live in huge longhouses, which in the case of the Maturaca mission, also have been destroyed by the Salesian missionaries after their contacts in the 1950s. The mission maintains a school in Maturaca and large quantities of woven baskets similar to those of the Maku are commercialized by the missionaries.

Summary: The general picture of the actual situation in the upper Rio Negro basin can be summarized in the following way: the Indian people of the region can be divided in two categories: the sedentary people on the river banks who are the Tukano and Baniwa and the people of the forest, nomadic or semi-nomadic, who are the Maku and the Yanomami. The sedentary people are those who were more easily dominated by the missionaries and who are actually more deculturated. Because of the relative inaccessibility of the Yanomami and Maku people, they were more difficult to control. Thus they conserve more of their traditional culture. The program of the missionaries logically today is to settle these people in order to control and to catechize them better.

#### History of Events — Colonial Period

The Portuguese colonialist expansion came to the Rio Negro around 1637, with the expedition of Pedro Teixeira. In 1660 the Portuguese built the Fort of Sao Jose da Barra of the Rio Negro (distant ancestor of the city of Manaus). The first contact of the Indians with the missionaries was in 1669 when Brother Theodosio and Pedro Favela da Costa penetrated on the Rio Negro and established the first villages.

There are documents which show that Jesuit missionaries were always accompanied by slave troops in this region. The first organized missionaries who entered the Rio Negro and its tributaries were the Carmelite brothers.

The form that they used for the catechization of the Indians, was the same technique used on the coast of Brazil that is, establishing villages and resettling the Indians in order to "domesticate" them better. This technique was much used and as can be seen today, the Salesian missionaries utilize it principally with the Maku groups. This type of missionary action was important for the Portuguese Crown because from there, the villages and territory were guaranteed to them.

In 1725, slave troops conducted raids among the Indians reaching as far as Marabitanas, on the Rio Negro above the mouth of the Icana River. About 20 years later, the connection of the Rio Negro and the Orinoco via the Cassiquiara Canal was discovered. In 1752-63 the Portuguese constructed the Fort of the Rio Branco (at the mouth of the Tacutu) and the upper Rio Negro (at Sao Gabriel) "in order to tranquilize the populations" and to prevent possible intrusions of the Spaniards. In this way the frontiers were secured.

Primarily the missionaries who were engaged in slave raids or in the search of spices of the backlands, or even on their own initiative, tried to fix the Indians in villages

or better, to transform the already existing villages into permanent centers, under the secular control of the Crown.

In 1758, as a consequence of the policy of the Portuguese Marquis of Pombal, all the villages founded by the Carmelite friars were newly categorized as Vilas, through a provision by Governor Mendonca Furtado.

The authorization under the law of the Marquis of Pombal, on June 7, 1755, established that the missionaries would only take care of the spiritual life, while secular affairs would be left to Directors of Indians, Justices and Councilmen.

In this description it seems as if the Indians received the imposition of Portuguese governance peacefully. However, Indian rebellions were suffocated by the arms and cannons of the Portuguese Crown. In 1729, more than 20,000 Manao Indians were massacred by the Portuguese. The resistance of the Manao Chief Ajuricaba, who for many years did battle with the Portuguese, was treated with extreme severity and all of the Indians who participated in this great rebellion were assassinated. Belchior Mendes de Moraea, who was authorized by the Crown to repress Ajuricaba, ended up slaughtering more than 15,000 Indians, among them men, women, children and old people.

After suffocating all resistance to the Portuguese presence in the region and overcoming the fear of losing its territorial dominion to the Spanish, Captain Jose da Silva Delgado was named by the Portuguese Crown to establish villages on the upper Rio Negro. Delgado journeyed together with Franciscan missionaries who worked on the catechnization of the Indians.



By order of General Joao Pereira de Caldas, Coronel Lobo d'Almada entered for the first time on the Vaupes River in 1784, for the purpose of demarcating the territorial limits and founding various villages. For more than 20 years the friar Jose dos Santos Inocentes remained on the upper Rio Negro catechizing and doing the work of "registering" the Indians. He was accused of poisoning entire groups of Indians.

#### The Empire and the Republic.

Soon after the creation of the province of Amazonas (September 5, 1850), the Governor Joao Batista Tenreiro Aranha named as the Vicar in charge of the parishes of the upper Rio Negro, the Vaupes and Ioana Rivers, the Capuchin friar Gregorio Jose-Maria de Bene. The Capuchins stayed in the region until 1888.

Until the entrance of the Salesians in the region, missionary visits were few and almost never beyond Sao Gabriel. The bishop of Manaus, Dom Federico Costa, visited the entire region of the upper Rio Negro, including Yauarete, one of the furthest and most difficult points of access, in a journey that lasted more than a year (1908).

On his return from this voyage, he decided to deliver the region to a religious congregation, separate from his diocese. He offered it to the Salesians in Rome in 1910,

and they accepted. In 1915, the first Salesians arrived with the purpose of fixing themselves definitively on the Rio Negro. The background experience of these missionaries was in Patagonia (Argentina) and a sad and very much criticized mission among the Bororo Indians.

The technique of attraction did not change in any way with the passing of time, as the Salesian father Alcionilio shows: "There began a new and more promising phase for those tribes. Fourteen of them located along the Vaupes, Tiquie and Papuri Rivers are given material, health and spiritual assistance. The Indians are attracted to the banks of these rivers and are settled in small villages"

For the purpose of assimilating the Indians to civilization according to Christian principles, besides the hospitals, maternities, and churches, by 1974 there were founded 13 schools (6 for men and 7 for women) which operate as boarding schools and educate in the *lingua*

*patria* (Portuguese) in the sciences and arts. About 1,500 children of both sexes attend these schools. The contrast between the ex-students from the mission in their villages and those who live in longhouses where the missionaries do not reach, is the best proof of the civilizing "achievements" of the Salesian missionaries.

The missionary centers existing in the Prelacy of the Rio Negro are: Sao Gabriel on the Rio Negro (founded in 1915), Taraqua on the Vaupes River (1924), Yauarete on the Vaupes River (1929), Paricachoeira, on the Tiquie River (1943), Barcelos on the Rio Negro (1925), Tapuruquara on the Rio Negro (?), Maturaca on the Maturaca River (1950), Marauia on the Marauia River (196?), and the Icana, on the Icana River (1951).

The missionaries who work at these missionary centers are the Salesians, the sisters of Maria Auxiliadora (Salesian sisters) and itinerant volunteers contracted by the mission. The fathers and brothers of the Prelacy of the Rio Negro in 1975 totalled 35, of which at least nine were Brazilian and the rest of the following nationalities: Italian (16), Czech (1), Spanish (1), Mexican (1), Irish (1), Austrian (1), German (4), and Polish (1).

The extension of the Prelacy of the Rio Negro is 286,840 square kilometers which includes the entire river basin of the Rio Negro.

The acceptance of the mission at first was good because it succeeded in ending domination and exploitation to which the Indians were being submitted by merchants and the directors of the Indians who acted in a manner which could be considered ethnocide. Curt Nimuendaju stated in his report of 1927 that the Salesian missionaries are a lesser evil in relation to the abuses committed by merchants and exploiters of the region. Initially, the missionaries joined together against the violence and abuses committed in the region, gaining thus the sympathy of the chiefs who granted them land for the implantation of their missions.

The overall objective of the work of the Salesian missionaries on the Rio Negro is very well expressed in one of its propaganda books

"...the works of the Salesian mission are to bring a solution to the great problem presented by the slow and gradual incorporation of the Indians into civilized life; that is, the localization of the Indians into determined villages, fixing them thus to the soil, the natural and logical beginning of all civilization ... Whether from the point of view of strategically defending our new frontiers, or from the point of view of a national unity forming only one block of Brazilians who speak only one language, profess only one religion, have the same customs, the work put into practice by the Salesians becomes certainly one of the greatest goodwill efforts in this tragic century of vicissitudes ..."

The methodology of directly interfering in the Indian cultures is what has provoked the most dramatic disarticulation in the social, economic and religious structures of the tribal societies on the Rio Negro; this process today, besides destroying the mode of production which is based on the communal ownership of land, has resulted in a vast detribalization of the Indian peoples. It is important to emphasize that the region of the Rio Negro is the only one in Brazil where the population has diminished, according to the "Diagnosis of the Alimentary and Nutritional Reality of the State of Amazonas," 1978, published in *Acta Amazonica*, Vol. 8(2) — Supplement 2.

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**"...THE RIGHT TO LIVE IN FREEDOM ON THEIR OWN LANDS IS BEING VIOLATED BY THE OPPRESSIVE PRESENCE OF AN INSTITUTION FROM AN ALIEN CULTURE WHICH HAS INVADDED AND DOMINATED THE POPULATION OF THE RIO NEGRO VALLEY, APPROPRIATING INDIAN LANDS."**

From 1950 to 1954, the Salesians began to make "attractions" to the Yanomami nation, in the same ways already practiced with the other Indians. This situation can be noted very well in the Maturaca Mission, where the Indians have been obliged to leave their longhouse, to live in small adobe wall houses, contracting innumerable sicknesses which were non-existent among them before the arrival of the missionaries. They were also introduced into an educational system which governs the work of the mission on the Rio Negro. The Yanomami in 1978 can no longer bear this situation. They have expelled the missionary Padre Pedro Durante. The mission then sent other missionaries to continue the work. This methodology is also put into practice among the Maku Indians who live in the center of the forest.

This kind of missionary action of the Salesians shows premeditated ethnocide. It includes denying the lines of action of CIMI (The Indian Missionary Council), the official agency of the National Conference of Brazilian Bishops, who preaches respect for Indian cultures, the defense of land and self-determination.

#### Accusation

We accuse the Salesian Congregation responsible for the Prelacy of the Rio Negro, and its bishop, Dom Miguel F. Alagna, of acts of systematic ethnocide against the Indian people of the Rio Negro valley, from the time of the installation of the Salesian mission in the region in 1915.

The ethnocide is realized through the imposition of the catholic religion, together with a reactionary educational system, authoritarian and alienating ethnocide is realized by the depredation and ridiculing of indigenous cultural values, by the radical interference in indigenous political structures and organizations, by changes in the autochthonous system of production, and by criminal economic exploitation.

All of these factors have led the indigenous population of the region into a profound deculturation, the characteristic of an oppressed population, relations of dependence with the missions and the surrounding society, and a graded detribalization.

We accuse the Salesian Congregation of the Prelacy of the Rio Negro of a potent racism, shown clearly in official Salesians publications and verbal declarations, which characterize all of the relations between missionaries and Indians.

We accuse the Salesian Congregation of the Prelacy of the Rio Negro of genocidal negligence in their failure to give the most basic and essential preventive medical assistance to Indian peoples in contact with the white world. This failure resulted in new infectious diseases which killed 50 Indians in a 1974 measles epidemic; they were not vaccinated despite the presence of missionaries in the region and despite the fact that the missionaries have an enormous infra-structure built up for nearly 80 years.

We accuse the Salesian Congregation of the illicit expropriation of traditional and legal Indian lands, breaking international agreements and the Constitution of Brazil which guarantees to the Indian the permanent possession of territories.

#### Violations of the Rights of the Indians of the Prelacy of the Rio Negro

The freedom of expression in the mother language is being denied by the strategy of the missions of imposing through violent means the educational system where Portuguese is the only language of instruction, thus substituting the maternal language. In the boarding schools, the students have been prohibited to speak their own languages and obliged to speak Portuguese, leading them to be ashamed of their own culture.

The freedom of expression in general is being violated by the missions through threats and public ridicule of individuals and communities who are critical of missionary action or who affirm their own proper cultural identity.

The right to freedom of movement is violated by the missions, who exercise a control over the means of access into and out of the territory and impede, when it is convenient for them to do so, the free transit of the Indians within their own proper lands. In this they have the support of the Brazilian Air Force.

The traditional social organization and political structures of the Indians are suffering radical interference on the part of the missions, who have destroyed the longhouses, subvert the authority of the elder leaders by the imposition of young mission-trained leaders, prohibit various ceremonies which affirm social cohesion, and also impede when they can the formation of new and authentically Indian organizations. Thus they are violating the rights to maintain traditional social structure and of organizing in the face of new circumstances, and finally, of deciding their own destiny.

The right of economic self-determination is being violated by the missions through the imposition of economic projects, the control of indigenous products and their industrialization through the mission storehouses which function in the old system of a "company store," besides the unproductive expropriation of Indian labor.

Finally, the right to live in freedom on their own lands is being violated in all its aspects by the oppressive presence of an institution from an alien culture which has invaded and dominated the population of the Rio Negro valley, appropriating Indian lands.

#### Evidence of Ethnocide on the Rio Negro

From 1915, with the installation of the Salesian missionaries in the valley of the Rio Negro, catholicism has been imposed in an authoritarian fashion by the missionaries. According to the book of propaganda of the Salesian missions of Amazonas, *Pelo Rio Mar*, published in 1933:

"And the reader will become aware through the following pages of the most efficient and best organized mission that Brazil has known. He will see how the Salesians have known how to root the Indian, instruct him and catechize him, making him a useful element of the country and efficient collaborator in the country's aggrandizement. He will see how in the middle of the virgin forest beautiful buildings are being built of cement, how life palpitates in 35 Indian villages, the 'creches,' asylums, hospitals, schools, orphanages, leprosy houses, meteorological houses, sawmills, carpentry schools, and will gain an inkling of how the water of the rivers are cut by the prows of the speediest gasoline launches. He will see the plough rake the bowels of the earth, and the axe mutilate the trunks of age-old trees..."

Once established in the area, the missionaries began to catechize the population with zeal:

"The numerous and repeated visits of the missionaries to the Indian longhouses, the insistence on catechization, the large distribution of sacraments administered and which have risen to more than 4,500 baptisms 1,150 marriages 68,000 communions, new chapels constructed, various centers of catechization founded at the most strategic points of the mission, with schools annexed, prove exuberantly how, at the mercy of God, copious have been the spiritual fruits collected in the first 10 long years of missionary penetration."

Actually, according to the report of the Brazilian anthropologist Berta Ribeiro (1978) there are 78 chapels in 167 communities where the majority of the Indians are called catholic.

In another book of Salesian propaganda, "On the Frontiers of Brazil," published in 1950 in Rio de Janeiro, a passage is cited from the pastoral letter of the Prelate of the Rio Negro:

"In many of these chapels, without even the assistance of the missionary, the people unite on Sundays for their practices of piety. The sacred hymns learned by the students in our schools echo in the mode of the popular cult, accompanied by adults, who learn with satisfaction from their children to pray and to sing together, in the traditional piety of the Brazilian people."

And it continues:

"The work of Dom Bosco in the Amazon forest affects above all in this chapter the children who so much merit the Salesian missions. The children receive the healing and constant religious instruction, and are entrusted with the knowledge of the eternal truths. They are prepared for life with this knowledge, more or less complete, and of the ways that they ought to conduct their moral and spiritual lives."

Father Paul Suess, the national secretary of the Indian Missionary Council, writes that: "The policy of giving small presents continues until today to seduce the Indians to the redoubts of a civilizing catechization. These presents are not innocent. They are given in the course of catechization, or as the author of *Indian Tribes of the Rio Negro* says:

'...it is better that the term catechization be spoken of as the civilizing process of the Salesian mission on the Rio Negro, which seeks to finish off the indigenous identity.'

"This imposition of religion breaks article 141 of the Federal Constitution which guarantees the freedom of belief to all citizens and it is principally against item I of article 58 in Law 6.001 which says: 'it is a crime against the Indians to mock the ceremonies, rituals, uses, customs or traditions of Indian cultures, condemning or in any way disturbing their practice. Penalty: detention for 1 to 3 months.'"

To make the imposition of the new religion more efficient, the missionaries knew that they had to destroy the central cords of Indian religion and the social and religious organization of the group. The study group of the governmental agency, SUDAM which was to investigate the Salesian missions commented that "the stereotypes brought by the Salesian missionaries involves an aversion to everything that constitutes tribal culture."

On arriving in the Indian region, the Salesian missionaries campaigned vigorously against the communal longhouses. In a book of propaganda of the Missions, written by Dom Pedro in 1928, cited by the anthropologist Darci Ribeiro in *The Indians and Civilization*

"I refer to the destruction that, with the help of a group of Indians and young men, we could do on the great and old longhouse of Taraqua.

"Know that for the Indian the longhouse is the kitchen, dormitory, dining room, work shelter, place of reunion in the rainy seasons and dance hall. It is where the Indian is born, lives and dies it is his world. The longhouse is also, as the zealous Dom Balzola used to say: 'the house of the devil' for there they make their hellish orgies, make the most atrocious vengeance against the white people and other Indians in the longhouse, vices are transmitted from father to sons. But now this world of the Indian, this house of the devil does not exist any longer at Taraqua we have disenchanting it and substituted it for a discrete number of small houses covered with palm thatch and with adobe walls. The Indians were not discontent at the razing of their longhouse they were even satisfied, recognizing the great usefulness of each family having its own little house, its lair, especially to avoid contagion. So went, then, the longhouse of the Tukano! (Monsignor Pedro Massa, 1928: 192)"

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**"THUS IT IS SHOWN THAT THE SELESIAN MISSION, LIKE ANY OTHER PROFIT-ORIENTED ENTERPRISE HAS EXPROPRIATED INDIAN LANDS, REGISTERING THEM IN THEIR OWN NAME AND SEPARATING THE INDIAN PEOPLE FROM THEIR PRINCIPAL MEANS OF PRODUCTION -- THE LAND..."**

Agreeing with these concepts, Brigadier Protasio Lopes de Oliveira, the ex-commander of the First Regional Air Command, of the Ministry of Aeronautics, and an untireable defender of the Salesian Missions of the Rio Negro, wrote in a preface to the book by Padre Alcionilio Bruzzi Alves, *Tribes of the Vaupes and Brazilian Civilization* (1979):

"The word Indian, far from expressing an ethnic origin or a race, which naturally includes the majority of Brazilian people, especially in the cities of the North and Northeast, expresses an inferior social condition, a manner of primitive life."

The SUDAM team was surprised at the ignorance on the part of the Salesians, of the most elementary humanistic principles, that in no way could justify all that was being done against the Indian populations on the Rio Negro.

"One must add the problem that the Salesians are totally ignorant of the most elementary bases of anthropology which is inconceivable in the 20th century when one treats of questions of inter-ethnic friction and the distinctiveness of the cultural structure of the tribes. This results in erroneous interpretations of indigenous behavior which legitimates perfectly for them the urgency of substituting civilized values. This became apparent to us in an interview with a certain Salesian scholar, ex-professor of the University of Sao Paulo, and dedicated for many years to the study of the civilization of the Vaupes, now working on the preparation of a dictionary of the Tukano language, when he revealed to us that the Indians were 'a race of low quality, incapable of assuming civilized culture, having an IQ of civilized children of 4 or 5 years old, and their development only being possible through mixing with the whites'."

The scholar referred to, Padre Alcionilio Bruzzi Alves, in his book *The Indigenous Civilization of the Vaupes* outlines these observations in Chapter 5 of his book, on "Observations about the Psychology of the Indians."

Social disorganization within Indian villages is effected by the mission which imposes a new structure of authority governed by people prepared in the courses ministered by the missionary centers of the Prelacy. It thus weakens the ancient power of the traditional chiefs. One may here recall the destruction of the longhouses and of the chiefs, if not all the religious festivals, which were suffocated by the action of the Salesian missionaries. In this respect, Curt Nimuendaju, in his 1928 report, describes the last festival of a village which was obliged to cease its traditions at the order of the missionary Pe. Joao Marchesi, today a retired bishop living in Italy.

In the last 10 years, the mission has been trying to impose this same structure on the Maku and the Yanomami seeking above all to settle them in villages for their "betterment" utilizing in the case of the Maku the catechized Tukano as agents of the mission. Pe. Norberto Hoenshirer explains this in his report to the Assembly of the Prelacy (5-14/12/1977): "Today we seek to evangelize the Tukano so that they can become responsible for the promotion and evangelization of the Maku. The Tukano have better ways of attaining them."

#### Interference in the Traditional Economy

The interference of the missionaries in the social structure results in disturbances in the traditional system of agriculture which is the type which uses the soil for at least two or three years:

"Given that the villages on the banks of the rivers are fixed, and that probably strengthened by the implantation of little rural schools, which involve the children in an activity which is alien from the community, what naturally happened was the nearby

land was exhausted which made more difficult the plantation of new gardens."

The implantation of various economic projects by the missionaries has resulted in the destruction of the tribal economy creating a near total dependence on the missions and the external market for the acquisition of industrialized products. This has also created new necessities imposed by the missionaries. These products are on sale at the mission stores.

The mission maintains an economic monopoly over the region, exploiting the Indians in the prices paid for indigenous products and in the prices for the products imported and sold at the storehouses of the mission. This system is described by Peter Silverwood-Cope in 1975.

The Indian artisans, besides being exploited in terms of not having access to the great wealth coming from the sale of their products in the cities, are so badly paid that the force of their labor and the time spent in the making of artwork are not compensated at all. The report of SUDAM cites the example of a tucum-bifre bag bought for 40 cruzeiros and sold in Manaus by the missionaries for an increase of 300 percent.

In 1977, an exporter of Indian artwork in Manaus, Richard Melnyk, each month bought from the Salesians, artwork of the Rio Negro on an average of 40 thousand cruzeiros and a large quantity of cipo baskets from the Marauia mission among the Yanomami.



The large-scale production of artwork is transforming the ritual and functional values of the product into a strictly commercial product traditional designs are discouraged in favor of invented designs by the order of Brother Guilherme Adamek (Yauarete), Sister Irene (Sao Gabriel), Sister Alba (Pari-Cachoeira). These designs which do not have anything to do with traditional culture are learned in the schools maintained by the mission. The missionaries have even proposed to the Maku that they make blowpipes half-a-meter long, when the traditional length is from two to two and one half meters, in order to facilitate the shipment of the product to the tourist market in Manaus.

In the Indian Museum of Rio do Janeiro and the Indian Museum of the Salesians in Manaus, ritual objects are exhibited which were taken from villages as noxious objects, after being depreciated, ridiculed and desecrated today they are used as models to make up folklore objects to sell to the public.

Another aspect of economic interference is the introduction of cattle in the region, where the land is absolutely inappropriate for the plantation of pasture. The new practice of the mission is to introduce the cattle in the villages, which besides requiring the cutting of the forest which is bad for pasture, and which lasts only a short time due to the poverty of the soil for the plantations of grass, imposes on the Indians an activity in which they have little interest. They say that the animals soil the earth which attracts insects and sicknesses that they are not prepared to combat.

This includes the cutting of fruit trees on the river banks which provokes ecological disequilibrium in the region, because the fish of the river feed principally from

the fruits which fall from the trees. This threatens the decrease in the fish population, which is the principal source of the fishing Indians. According to information of the North American anthropologist Janet Chernela, now working in the region, the fish population has already begun to decrease.

From its installation, the mission has precipitated profound cultural changes without having the socio-economic means to sustain such changes they have thus opened the way for merchants to establish "relations of extreme dependency with serious implications for the nutrition of the Indians. It is easy to see what happens with the products of the garden, of gathering and the works of the families. They become rationalized by the necessity of trading them for some meters of cloth, or some shirts..."

#### Western Medicine Against Indian Medicine

Despite the sums earned in the construction and maintenance of the hospitals, well-equipped in the missionary centers, which they always show as evidence of good sanitary work, the health of the population of the Rio Negro is precarious. A full investigation by the SUDAM team accuses the mission of lack of vaccination against measles (resulting in an epidemic in 1974 which killed 50 Indians) and tuberculosis where the level of infection is very high. The same team accuses the mission of inefficiency in medical and sanitary assistance in general.

We emphasize here the genetic implication pointed out in the SUDAM report the missionary ideology of joining Indians of different groups and of destroying the mythological basis of the rule of exogamy of the groups, and which avoids sicknesses transmitted through kin:

"What they are doing with the Indians is breaking their traditions: Really it is a shame. With relation to the Tukano tribe, the Salesians have succeeded, or better, made members of the same tribe marry among themselves, which should not happen according to tradition. This could result in genetic problems later."

The preconception and ignorance of the missionaries in relation to Indian medicine is illustrated in the following interview:

"Father Carlos Galli, of the Icana River, told us that the Indian women took foolish things and for that reason always were sick. To our question: 'what are these foolish things?', he responded that they were anti-conceptual devices. Then we asked who distributes these anticonceptual devices to them? He responded that the Indians make them from the roots and leaves which serve as anticonceptual things."

Feliciano, from the Dessano tribe of the Tiquie River, said at an Indian Assembly: "There are sicknesses in all Indian areas. The problem of the sick people is serious. The medicine men cure, but they do not cure the sicknesses that the white people have brought, and the whites do not cure the sicknesses of the Indians."

#### Education for Detribalization

The racist and perverse ideology of the Salesian missionaries is reproduced in the educative system imported from Italy and supported by the Secretary of Education in the State of Amazonas. It leads the Indians to premeditated ethnocide.

The Indian children who are interned in the schools, sexually segregated, under a rigid and anachronous regime, lose the spontaneity and freedom that they had in the communitarian life of the tribe. "It is very difficult perhaps for a civilized person already accustomed to a certain model and to have it as a certain thing, to come to imagine the danger that this transformation could cause in the formation of an Indian child who intends to be, later, a relatively free

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# Hopi History: Years Of Protest

PART 4

## 1943-1950: FENCING IN THE HOPIS

The U.S. government's decision to segregate Hopis from Navajos was soon implemented. The existence or nonexistence of the Hopi Tribal Council was of little significance since the BIA's program had never been dependent on the cooperation or consent of the Hopi people or their government.

Near the end of his tenure as Commissioner of Indian Affairs, John Collier made his last official visit to Hopi country on September 12, 1944. He stated at a public meeting his conclusion that the only just solution for Hopi-Navajo land problems was to find additional lands—non-Indian lands—for the Navajos. But he noted that "white cattlemen and politicians will fight against it." He acknowledged that these whites (who were residing on aboriginal Indian lands) were resolved to keep the lands they occupied and even eager to take away Indian reservation lands. He urged the Hopis to keep fighting for their rights:

*The way the Government can work in the future in pushing the Navahos back and pushing out your boundaries, is to get more land for the Navahos somewhere else, and make it so appealing to them that they will be willing to give up their rights on the Executive order for that land. Now, to ask the Government to do this is not an easy thing to bring about, especially in this part. Extension is hard to make because the white cattlemen and politicians will fight against it. On the contrary, they want to take it away. Now I say, I understand your bitterness and anger. Keep it up! But add a determination to find a way out. This whole case has to rest upon the honor and decency of Congress. If the thing I'm suggesting could be brought about, and land could be bought for the Navahos, the Government would compensate them on the improvements they made. We cannot move the Navaho until we find more land for them somewhere else. It may be that you people do not want to go any farther than to protest and say that you are being suffocated. Keep it up! Let your friends do the talking. Work on public opinion; tell the public, and work with them. The Hopi is being wronged. He is worth something, and if we will all work together, something might be accomplished. I'm telling you how to do things and get them done. You have a moral inheritance.*

As complaints about the District 6 boundaries kept coming to his attention, Commissioner Collier responded by admitting a sordid history of U.S. domination of the Hopis, but refusing to accept responsibility for their plight in 1944:

*The policies and practices of the Government in the early years of this century and before did have the effect of dividing the Hopi Indians. At Oraibi emotions ran so high that if any other people in the world had been involved bloodshed would have resulted. Because the Hopis believe implicitly and profoundly in living in peace, they were able to avoid armed conflict but at a terrible cost to their institutions. As a matter of fact, they have not yet recovered from the moral shock which occurred at the time. You probably know the story of how contending factions lined up in the middle of the plaza and pushed against each other until one side was literally pushed out of the plaza.*

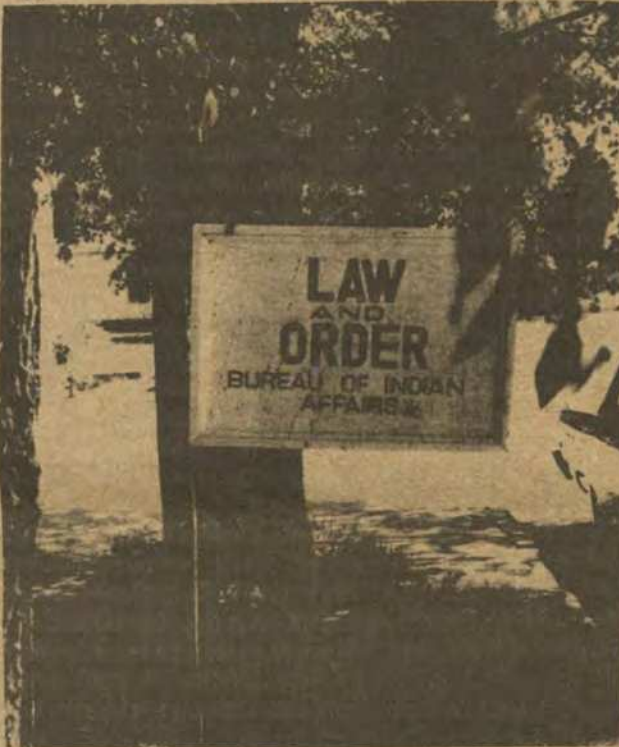
*It is true also that the Government compelled children to leave home, and kept them in boarding schools for years on end. This is a further effort to break down the culture and the resistance of the people.*

*In all of the above, the part played by the Government does not make a pleasant record. In later years it has been necessary to act firmly when we knew that the life of the tribe was at stake. If in an earlier day our policies had been tinged with greater humanity, our relations now might be more friendly.*

*This is the fourth part of a report prepared by the Indian Law Resource Center in Washington, D.C. on the status of the Hopi claim to their ancestral lands. The other parts can be found in the following issues: May 1979 (vol 11 no 2), summer 1979 (vol 11 no 3), winter 1979 (vol 11 no 5).*

Collier took solace in the notion that although he concededly had meddled in Hopi affairs, he had only "acted firmly" while all who preceded him had been guilty of outrageous, authoritarian suppression of the Hopi way.

In February 1945, fences were completed by the BIA along the revised boundary lines of District 6. The newly appointed Commissioner of Indian Affairs, William A. Brophy, continued to answer angry Hopi petitions against the fencing with assurances that Hopi land rights would not be affected. As the Hopi and Navajo BIA Agencies began to work closer together to implement the government's soil and water conservation program, stock reduction programs were begun in earnest and many Hopi and Navajo herdsman suffered as their source of livelihood was suddenly taken from them. The BIA insisted on a 40% reduction of livestock, a drastic action which meant severe hardship to many, especially the Hopis of Third Mesa. A protest letter sent from First Mesa leaders shows that there was a broad consensus of opposition to the BIA's program.



In March 1948, another BIA plan to resettle Hopis was prepared, and in 1949 a handful of Hopis were convinced to remove themselves from their ancient mesa villages to an Indian reservation along the Colorado River which had served as an internment camp for Japanese-Americans during World War II. The BIA offered each Hopi family 40 acres of irrigated land if settlement were agreed upon and all rights as Hopis were given up. This resettlement program was as ill conceived as those which the BIA had considered in the past. It was doomed to failure because Hopis were not about to leave their homeland in any significant numbers. The program had been presented as a glowing solution to many Hopi problems in Washington in 1945, when Byron Adams, who said he was "speaking for the tribe," made an appearance before the House of Representatives Committee on Indian Affairs. A number of Congressmen saw this as a step in the direction of allotment, assimilation, and termination, the direction they favored for Indian policy, and a direction in which official Indian policy would again turn in the 1950s.

During these developments, the number of Navajos living inside the 1882 Hopi Reservation continued to increase. By 1950, there were about 6,000 Navajos within the area, twice the Hopi population which was by then effectively confined to District 6. The Hopis were left with only 600,000 acres of land, having lost control of a total of at least 4,000,000 acres of land since the Treaty of Guadalupe Hidalgo in 1848. After a century of United States domination, the Hopis held on to only 15% of the aboriginal land which the United States would later concede had been theirs in 1848, and to less than 10 percent of the land which the Hopis claimed as their rightful heritage.

## THE DISCOVERY OF HOPI MINERAL WEALTH

Despite all of the reversals and hardships they had suffered, traditional Hopis could take comfort in the mid-1940s that they had managed, through tenacious and passive resistance, to maintain control over the core of Hopi life and culture. The IRA, Hopi Constitution, and the Hopi Tribal Council had died. The authority of the traditional village governments under the leadership of the Kikmongwis had been restored. None of their historic, sovereign rights had been surrendered or abandoned.

But even this qualified victory was immediately threatened by new developments. For at the very moment that the Council went into abeyance and the BIA stock reduction program continued in force, Standard Oil Company and other giant oil companies were beginning to pressure the BIA for permission to exploit mineral resources on Hopi land. Mineral exploration had already begun, and preliminary reports concluded that the Hopis were sitting on vast mineral wealth.

As early as February 1944, the Hopi BIA Agency Superintendent wrote the Commissioner Of Indian Affairs about the need to work out leasing procedures with these companies. What, he asked, would be the leasing procedure in the absence of a Council? Who had authority to lease the land which was found inside the 1882 Hopi Reservation but outside the exclusive Hopi reservation of District 6? These questions had to be answered before leasing could take place because the federal law in effect at that time provided that these Indian lands could only be leased for mining purposes "By authority of the tribal council or other authorized spokesmen for such Indians."

On July 11, 1946, a formal opinion entitled *Ownership of Mineral Estate in Area of the Executive Order of December 16, 1882*, was rendered by Felix S. Cohen, Acting Solicitor of the Department of the Interior. His opinion held that Hopis and Navajos owned the mineral estate to the 1882 Hopi Reservation, that the Navajos had acquired mineral rights because they had been settled in that area with the approval of the Secretary of the Interior. Before leasing could occur, approval would have to be obtained from the tribal councils or authorized spokesmen for both the Hopis and the Navajos.

Needless to say, this opinion complicated matters for the BIA officials who were interested in having mineral leases signed quickly. In July 1947, the BIA Hopi Agency Superintendent wrote the Commissioner a letter explaining that opposition to restoration of a Hopi Tribal Council remained very strong among the Hopi people. He recommended that the Commissioner draft federal legislation which would allow the Secretary of the Interior to sell Hopi mineral rights without any formal consent of the Hopis. In the alternative, he recommended that the Hopis be reorganized into three separate communities, one for each of the three mesas on which most of their villages were located.

In November 1947, Assistant Commissioner D'Arcy McNickle recommended to the Hopi Agency Superintendent that he consider reorganizing the Hopis "on a strictly political and secular pattern leaving the Kikmongwi out of it entirely." This, he thought, would facilitate leasing. He suggested that the BIA Superintendent could undercut the Hopi Constitution and, on his own initiative, call for a constitution amendment which would, hopefully, result in the complete secularization of Hopi government.

A few months later Assistant Commissioner McNickle received a memorandum from the Chief of the Minerals Section of the Land Office of the Department of the Interior advising that "it does not appear that leases acceptable to oil companies may be made under existing law unless the Hopi Indians will organize a tribal council as provided in the Hopi constitution." It appears that the oil companies were insisting on the legal security which the Hopi Tribal Council's signature would give

HOPI CONTINUED NEXT PAGE



## HOPI CONTINUED

them under United States law. The same memorandum suggested consideration of a proposed bill whereby Congress would authorize the Secretary of the Interior to make leases of any Hopi lands as long as a simple majority of Hopi villages consented.

The oil companies kept "demanding quicker action" from the BIA, and plans to satisfy their demands were considered throughout 1948. In May of that year, Assistant Commissioner McNickle suggested that since it would be "difficult to operate" under any plan requiring Hopi or Navajo consent to mineral leasing, he would favor legislation authorizing leasing without any consent of the Indians. In June 1948, Acting Commissioner William Zimmerman, Jr., wrote the BIA Hopi Superintendent a letter in which he strongly recommended that efforts be made to reconstitute the defunct Hopi Tribal Council, even if solely for the purpose of making mineral leases. The alternative, he wrote, was legislation authorizing the Secretary of the Interior to make these leases on his own authority. The oil companies were kept apprised of these developments and were urged to file their leasing applications with the BIA Hopi Agency.

The ever mounting pressure from oil companies demanding mineral leases added a new dimension to the problems facing traditional Hopis. The BIA was clearly not willing to resume formal recognition of the traditional village governments under the Kikmongwis, even though these were the only functioning Hopi governments at the time. Instead, the BIA was beginning a new campaign to breathe life into the Hopi Tribal Council. The BIA had decided that it could carry out the BIA program of Hopi-Navajo segregation and stock reduction without going through the formality of obtaining the approval of the Hopi Tribal Council, yet that formality was being insisted upon by the oil companies who feared their leases would not hold up to court challenge unless they were executed by the official IRA constitutional government, the Hopi Tribal Council.

The BIA had determined to do whatever was necessary to make the leases acceptable to the oil companies. Clearly, the rationalization went, the leases were in the "national interest" (of the United States). There is almost no discussion in the BIA files about the possibility that the Hopis might legitimately oppose mineral leasing of their land. One way or the other, the BIA would do what it and the mineral companies considered to be in the best interest of the Hopis (and the United States).



### TRADITIONAL HOPI LEADERS SEND A PETITION OF PROTEST TO PRESIDENT TRUMAN

In late 1948, all of these developments were discussed at a meeting called by the traditional religious leaders of the Hopi villages of Hotevilla, Shungopoviy and Mishongovi. At that meeting, a decision was made to take a public stand on all the issues. The prophecies and policies of traditional Hopi leaders would be expressed through appointed interpreters. Much information about traditional Hopi religion was made public for the first time.

From this meeting came the decision to send a petition of protest to United States President Harry S. Truman. A five page letter to the President dated March 28, 1949, summarized traditional Hopi beliefs, traditional Hopi land rights, and the traditional Hopi position on a number of other issues. It is a remarkable

document in American Indian history, a proud and reasoned affirmation of Indian sovereignty.

Included among the issues presented to President Truman is a statement of opposition to mineral leasing:

*We are being told by the Superintendent at Keams Canyon Agency about leasing our land to some oil companies to drill for oil. We are told to make decision on whether to lease out our land and control all that goes with it or we may refuse to do so. But, we were told, if we refused then these Oil Companies might send their smart lawyers to Washington, D.C. for the purpose of inducing some Senators and Congressmen to change certain laws that will take away our rights and authority to our land forever and placing that authority in another department where they will be leasing out our land at will. . . .*

*Neither will we lease any part of our land for oil development at this time. This land is not for leasing or for sale. This is our sacred soil. Our true brothers have not yet arrived. Any prospecting, drilling and leasing on our land that is being done now is without our knowledge and consent. We will not be held responsible for it.*

The line was being clearly drawn as the traditional Hopi leaders formally presented their challenge to the mineral leases which the United States and the oil companies were so eager to obtain. These traditional Hopi leaders had learned about the threat to give the Secretary of the Interior all leasing authority if the Hopis did not cooperate, and they were not going to submit to such a threat. They chose instead to continue their resistance and to rest their case on their sovereign rights:

*We are still a sovereign nation. Our flag still flies throughout our land (the flag of our ancient ruins). We have never abandoned our sovereignty to any foreign power or nation. We've been self-governing people long before any white man came to our shores. What Great Spirit made and planned no power on earth can change it.*

### EARLY TRADITIONAL HOPI PROTEST AGAINST THE INDIAN CLAIMS COMMISSION

Included in the 1949 protest letter to President Truman was a statement of opposition to the filing of any Hopi claim in the Indian Claims Commission. Thus, opposition to the Hopi claim which became known as Docket 196 was registered even before the claim was filed in the Indian Claims Commission.

The Indian Claims Commission had been established by Act of Congress in 1946. The Act authorized Indians to file claims against the United States for past wrongs. All such claims had to be filed within five years of the passage of the Act.

Those Congressmen who supported the Indian Claims Commission Act did so for a variety of reasons. Some simply wanted to help redress past wrongs which the United States had done to the Indians. Others indicated a desire to reward returning Indian veterans who had served commendably in World War II. Some Congressmen saw the Indian Claims Commission Act as a further spur to assimilation of Indians into white American society and the United States economic system. And cutting across the spectrum of support for the Act was a desire to put an end to all Indian land claims, to remove the Indian clouds hanging over white land titles in many parts of the United States.

The importance of this latter factor is demonstrated in the language of the Act itself. One provision of the Act expressly forbids any future legal claim to be made for any of the matters touched upon by the Indian Claims Commission once that claim is paid:

*The payment of any claim, after its determination in accordance with this chapter, shall be a full discharge of the United States of all claims and demands touching any of the matters involved in the controversy. (25 U.S.C. 70u)*

The BIA actively encouraged all Indians to file claims in the Indian Claims Commission. For some Indians, especially those who were no longer physically or spiritually rooted to their historic lands, the compensation offered by the Commission was seen as a measure of redress for past wrongs to their people.

Others, especially those Indians still living on Indian land and still holding fast to traditional Indian values, saw the Indian Claims Commission Act as merely another attempt of the United States government to make legal — in exchange for a few dollars — the theft of Indian lands which should rightfully be returned to the Indian peoples.



Traditional Hopi leaders were among the many Indians who were not willing to give up their historic land rights in exchange for money. Their petition to President Truman made known their opposition to the filing of any Hopi claim:

*Today we are being asked to file our land claims in the Land Claims Commission in Washington, D.C. We, as hereditary Chieftains of the Hopi Tribe can not and will not file any claims according to the provisions set up by land Claims Commission because we have never been consulted in regards to setting up of these provisions. Besides we have already laid claim to this whole western hemisphere long before Columbus' great, great grandmother was born. We will not ask you, a white man, who came to us recently for a piece of land that is already ours. We think that white people should be thinking about asking for a permit to build their homes upon our land.*

By letter dated May 16, 1949, the Commissioner of Indian Affairs answered the petition on behalf of President Truman. A most noteworthy part of the Commissioner's letter is his statement encouraging the Hopis to file a claim. The Commissioner irresponsibly stated in his letter that if the Hopis filed a claim they might thereby obtain a court order restoring lands to them. This statement was made despite the fact that the United States government had already argued successfully that the Indian Claims Commission could award only money damages, that it could not lawfully order the return of Indian land. On December 30, 1948, almost five months before the Commissioner's letter, the Indian Claims Commission had ruled in the case of *Osage Nation of Indians v. United States* that it could grant only money damages:

*The Indian Claims Commission Act does not specifically state the character of relief the Commission may grant, but this lack of specificity is not vital, for its provisions plainly limit the relief to that which is compensable in money. (1 Ind. Cl. Comm 54, 65 (1948))*

In his attempt to win traditional Hopi support for the filing of a Hopi claim, the Commissioner of Indian Affairs had either spoken from complete legal ignorance or had brazenly lied to them about the legal significance of such a claim. The course of the BIA's conduct over the next 28 years would suggest that the Commissioner's letter was in fact a deliberate misstatement of the law, for the BIA would continue to mislead the Hopis on the legal effect of the claim.

Such deception was not easily accomplished, however, for the traditional leaders continued to protest in letters to Washington. One such protest letter of December 28, 1949, sums up their opposition in these words:

*We will not sell our heritage, our homeland and our birthrights for a few pieces of silver.*

The traditional Hopi leaders were convinced that there was also deception in the proposed Hopi-Navajo Rehabilitation bill which was pending in Congress at that time. The government was offering 90 million dollars for

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## HOPi CONTINUED

Hopi and Navajo "rehabilitation" programs. The traditional Hopi leaders wanted nothing to do with this money. They saw that an ulterior motive was the granting of state jurisdiction over the Hopis and Navajos. Fortunately, President Truman vetoed the bill which contained a provision giving the States of Arizona, New Mexico, and Utah such jurisdiction over Indians within their borders.

United States aid programs such as this, which were under the exclusive control of the BIA, were seen by the traditional Hopi leaders as of no benefit to the Hopi people:

*We have been told that there is \$90,000,000 being appropriated by the Indian Bureau for the Hopi and Navajo Indians. We have heard of other large appropriations before but where all that money goes we have never been able to find out. We are still poor, even poorer because of the reduction of our land, stock, farms, and it seems as though the Indian Bureau or whoever is planning new life for us now ready to reduce us the Hopi people under this new plan. Why we do not need all that money and we do not ask for it. We are self-supporting people. We are not starving. People starve only when they neglect their farms or when they become too lazy to work. Maybe the Indian Bureau is starving. Maybe a Navajo is starving. They are asking for it. Too, there are the aged, the blind and the crippled needed our help. So we will not accept any new theories that the Indian Bureau is planning for our lives under this new appropriation. Neither will we abandon our homes.*

The official plans for the use of the rehabilitation monies also help clarify the interest the United States had in promoting the appropriation. Large sums were designated for the preparation of a groundwork for the development of Hopi mineral resources. A total of \$500,000 was set aside for "surveys and studies of timber, coal, mineral, and other physical and human resources." Almost half of the total grant, \$40,000,000 was earmarked for the development of roads.

And \$9,250,000 was to be spent for the development of off-reservation employment and off-reservation resettlement, most of which was to be used for the relocation of Hopis to the Colorado Indian Reservation. Widespread Hopi opposition to this program had already long been noted. This clearly was not an Indian rehabilitation program designed by Indians.

## PROTESTS TO CONGRESS AND THE COMMISSIONER OF INDIAN AFFAIRS

In the background of these developments, the pressure from oil companies grew even more intense. By 1950, the BIA Superintendent was sending written reports to at least twenty oil companies in which he outlined the progress he was making in his efforts to reorganize a Hopi Tribal Council to execute mineral leases.

As the BIA stepped up its efforts to revitalize the Hopi Tribal Council, Dan Katchongva and other traditional Hopi leaders sent new letters of protest to the Congress and the Commissioner. These protests included these affirmations of the right of self-government:

*We do not want to be rehabilitated by the Indian Bureau.*

*The Hopi Tribal Council is being reactivated today but to us religious leaders it is not legal: it does not have the sanction of the traditional head-men. And it is composed of mostly young and educated men who know little or nothing about the Hopi traditions. Most of the men supporting it are Indian Service employees, men who have abandoned the traditional path and are after only money, position and self-glory. They do not represent the Hopi people.*

*How would you like also to have someone make laws and plan your life for you from afar? Pass laws without your knowledge, consent and approval? ... We are still a sovereign nation, independent, and possessed of all the powers of self-government of any sovereignty. King of Spain recognized this long ago. Government of Mexico respected it, and it is still recognized by the United States Supreme Court. Now why, in the face of all these facts, are we required today to file our land claims with the Land Claims Commission in Washington? Why are we required to ask a white man for a land that is already ours? This whole western hemisphere is the homeland of all the Indian people. In this fact all Indian people should know.*

*Now, by what authority does the government of the United States pass such laws without our knowledge, consent nor approval and try to force us to relinquish our ancient rights to our land? Is it only for money? We do not want money for our land.*

In partial answer to Dan Katchongva's protests, the Acting Commissioner of Indian Affairs wrote a letter on April 21, 1950, which outlined the approach the BIA was planning to take with respect to the defunct Hopi Constitution and Hopi Tribal Council. The BIA planned to continue to recognize the Constitution and Council as the only legal Hopi government, despite the fact that the BIA was fully aware that the Council had long before collapsed due to a lack of any significant support among the Hopi people:

*The Hopi Constitution did not go out of existence although the Tribal Council ceased to function after 1943. A constitution is created by the people. The people have the power to destroy it, not the Tribal Council. The people, if they desire to do so, may destroy the constitution by the same process they used to bring it into existence, namely, by voting to do away with it and adopting a new one. Since the Hopi people did not vote to terminate the existence of their Constitution it remains in force.*

Since it was the oil companies and the BIA, and not "the people," who were clamoring for the restoration of a Hopi Tribal Council, and since the Hopi people had clearly voted against the Council by refusing to send representatives or to give support to the Council over the prior seven years, the Acting Commissioner's pious reference to democratic processes is laughable. And since the IRA Hopi Constitution provided that it could be amended or abolished only if the Hopi Tribal Council called for such an election, the Hopi people -- even if they had wanted to formally cast ballots on the issue -- had no voting procedure available to them. All of which was further complicated by United States law which gave the Secretary of the Interior the authority to disapprove any change in IRA constitutions.

In a letter dated October 20, 1950, the Commissioner of Indian Affairs directed the BIA Hopi Agency Superintendent and BIA Area Director to give all the time they possibly could to the creation of an acceptable Hopi Tribal Council.

## A SECOND PETITION TO PRESIDENT TRUMAN

On October 8, 1950, a second petition of protest was sent by traditional Hopi leaders to President Truman. Dan Katchongva of Hotevilla and Andrew Hermequaftewa of Shungopovy signed the petition as advisors to other religious leaders. The return address is listed as Hopi Indian Sovereign Nation, Oraibi, Arizona. It begins with this angry statement:

*Today, our ancient Hopi religion, culture and traditional way of life are seriously threatened by your Nation's war efforts, Navajo-Hopi bill, Indian Land Claims Commission and by the Wheeler-Howard bill, the so-called Indian self-government bill. These death-dealing policies have been imposed upon us by trickery, fraud, coercion and bribery on the part of the Indian Bureau under the Government of the United States, and all these years the Hopi Sovereign Nation has never been consulted. Instead we have been subjected to countless number of humiliations and inhuman treatments by the Indian Bureau and the Government of the United States.*

After specifying a number of complaints, the letter closes with a request for action and a threat to take Hopi complaints to the United Nations if necessary:

*If the government of the United States does not now begin to correct many of these wrongs and injustices done to the Red Man, the Hopi Sovereign Nation shall be forced to go before the United Nations with these truths and facts.*

At the same time, white observers of the Hopi scene were giving government officials their own criticisms of the sordid treatment which the Hopis were receiving from the BIA. Both Hopi and white protests fell on deaf ears.





# POETRY



"Let us struggle for  
the purpose  
of freeing the Earth."

We must  
make  
our resistance  
complete.

We have to understand that the hard times  
are necessary for the good times to be here.

Let us struggle for the purpose of freeing the Earth  
because  
only by freeing the Earth  
can we free ourselves.

They can not stop Wind  
and  
They can not stop Rain.

They can not stop the Earthquake and the Volcano  
and the Tornado.



They  
Can  
Not  
Stop  
Power

---John Trudell

## UNLEARNING

De  
co  
lo  
ni

za on

In our hands,

habits, ideas  
superiority and arrogance  
sloth, gossip, disregard

to be plucked, like  
feathers

Like feathers, worn,  
honorably

in honor  
of times past  
when minds were clean,  
purposely.

---Ismaelillo

## THRU BLUE DUST, NEW MEXICO

82

boiling mush on  
hot rocks deep in  
the red rock canyon  
the anazi wove baskets  
tight enough for water  
grew cotton squash  
flattened the heads  
of their babies, years  
of singing for corn  
pulling rain down with  
smoke and eagle  
feathers. Nothing  
changed but the stars  
tho the hold  
in the center of the  
floor sipapapu  
reminded them where  
their father's fathers  
came from

---Lyn Lifshin

## REPRESSION

In Guatemala  
they disappear  
and only the  
memory  
can bury them.

The evil has got loose again.  
The evil holds a hateful gun.  
Cornered, cornered,  
the evil has a greedy face,  
the evil.

---Ismaelillo

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SUSTENANCE OF THE INDIAN  
PEOPLES AND THE CHIEFS'  
ANTLERS--SYMBOLIZING HER  
AUTHORITY TO CHOOSE THE  
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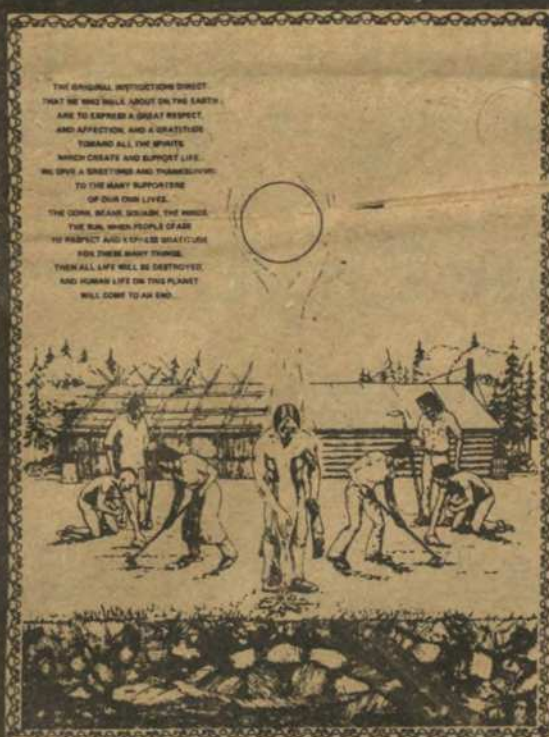
The 1981 Calendar features the epic version of the founding of the Six Nations Iroquois Confederacy. Included in its entirety is the story of *THE WHITE ROOTS OF PEACE* written by Dr. Paul A. Wallace.

Calendar artwork, by KAHIONHES (John Fadden), depicts twelve dramatic scenes in the chronology of events leading up to the actual founding of the confederacy and the beginning of the Great Peace. The cover is a FULL COLOR reproduction of a beautiful painting of our planet titled *LAKONKWE (Woman)*, also by KAHIONHES. Calendar production and promotion by PICTOGRAPHICS. Calendar design by ROKWAHO.

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